

# THE CLERGY REVIEW

DECEMBER, 1954

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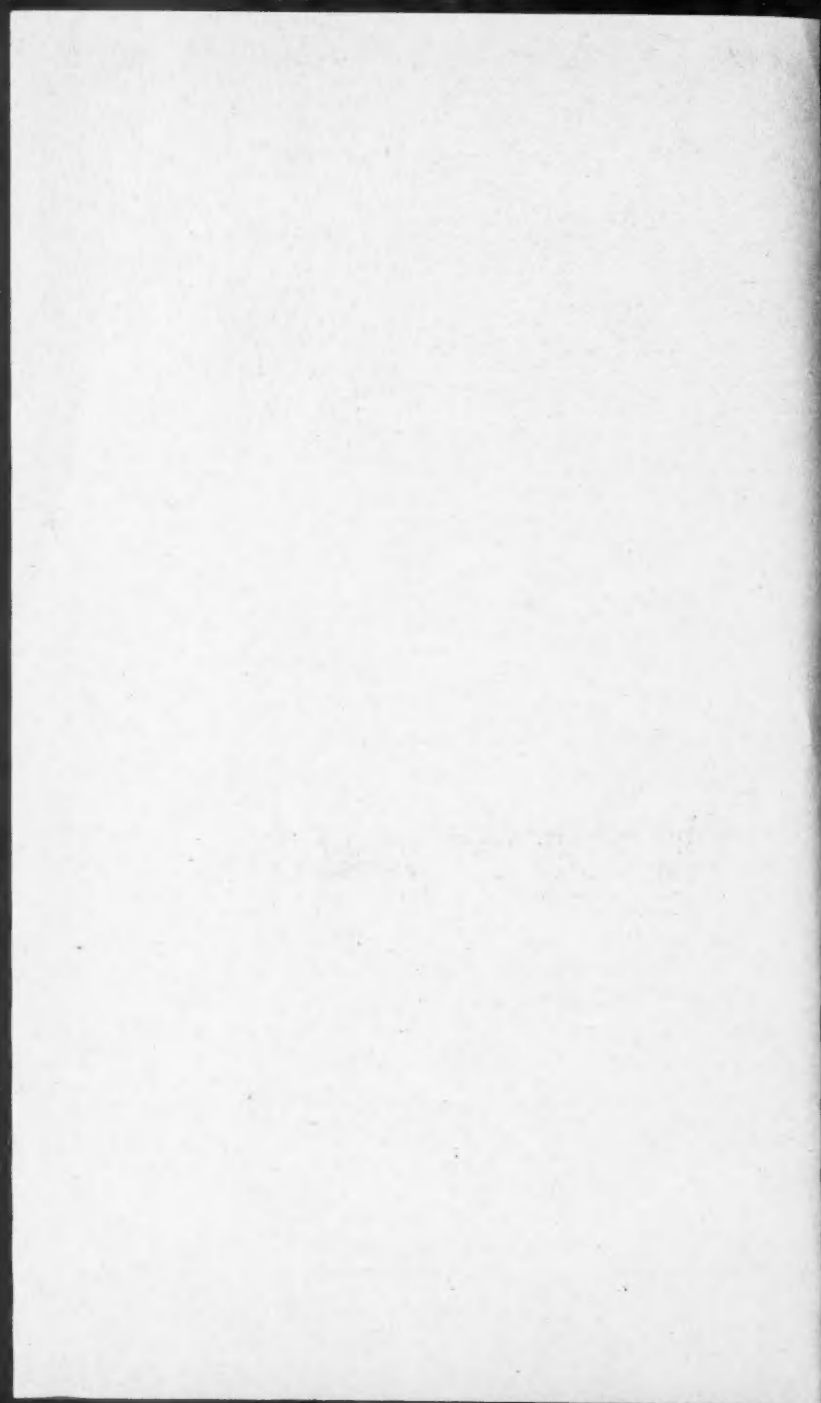
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# THE CLERGY REVIEW

*Editor :*

THE RIGHT REV. MGR CANON G. D. SMITH, D.D., Ph.D.

THE Editor invites articles and other contributions likely to be of interest to the Clergy. In order that priests may pool their knowledge and experience, readers are asked not only to propose for solution questions concerning theology (moral, pastoral, or dogmatic), canon law, liturgy and other departments of sacred science, but also to contribute to the Correspondence pages their views on the answers given to such questions or on any other matter that falls within the scope of THE CLERGY REVIEW.

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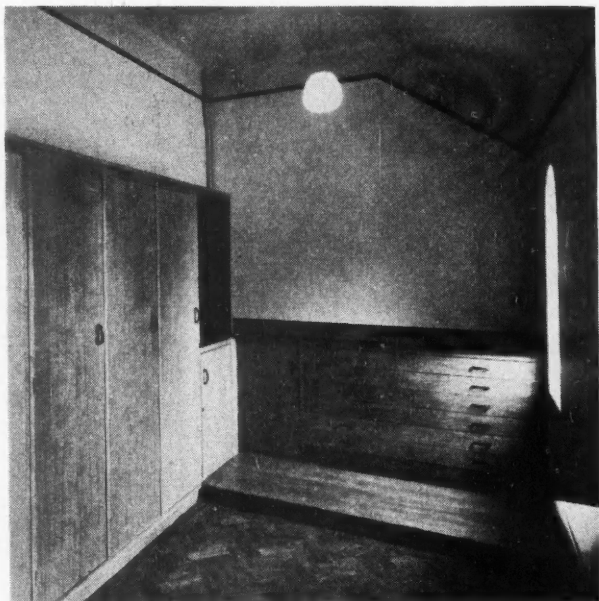
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# The CLERGY REVIEW

NEW SERIES VOL. XXXIX NO. 12 DECEMBER 1954

## THE ELIZABETHAN SETTLEMENT

EVERY reader of the first two volumes of this vivid, powerful and exciting book will at once want to know what is the original and distinctive contribution to the story of the Reformation that is to be found in this third and concluding portion,<sup>1</sup> and it will not take him long to discover it. Just as Volume I cleared away an old misunderstanding about the orthodoxy of Henry VIII, and Volume II presented, with a candour hitherto unknown, a fresh examination of the Marian government's dealing with Protestants, so now this final instalment brings the real explanation of the Elizabethan Settlement. The "Line of Cleavage" has long since been marked out; this volume describes what was set up in England after the cleavage. But while Father Hughes has not written a history of the reign of Elizabeth I nor repeated the views to be found in a former work,<sup>2</sup> he has thrown a new light on many of the most controverted matters of the second half of Elizabeth's reign: the real nature of the activities of Allen and Persons; the character of the persecution and the sophistry of Burghley's defence of it; the attitude of the English Catholic laity and their repugnance to all attempts to rescue them by foreign arms. The result is a comprehensive and definitive revaluation and restatement of the whole matter which must supersede everything else that has appeared on this vast subject.

The first part of this volume provides in great detail something that will be found nowhere else, a full, clear and documented account of the real beginnings of the Elizabethan *Ecclesia Anglicana*; not as it is commonly represented to have been, not as its modern defenders wish that it was, but as it is actually revealed by all the contemporary witness; by private correspondence, apologetic and controversial writings, sermons,

<sup>1</sup> *The Reformation in England*. Vol. III. "True Religion Now Established." By Philip Hughes. (Hollis & Carter. 42s.)

<sup>2</sup> *Rome and the Counter Reformation in England*. By Philip Hughes. (1942.)

manifestos, as well as official publications. The narrative, though loaded with material, is vivacious, always individual, often pungent. There is the same grasp of detail, the same search for and use of all relevant statistics, with all the author's recognized ability to combine exactitudes of research with the breadth of a general picture. The amount of precise information is very considerable and, as before, a great deal of it is to be found in the notes at the foot of every page. These are full of telling quotations from contemporary writings and the reader can instantly see for himself that Father Hughes has read and weighed the books he is talking about. The notes are, indeed, a special feature of the work, for they not only serve to carry the massive documentation but vigorously reinforce the arguments in the text. Like Lingard, the author can use them to correct errors without halting his own narrative; like Gibbon he can use them as a vehicle for wit and irony; and, completing the discussion of a quoted passage, he can exercise the art of assenting or dissenting in graduated terms.

With a rapid survey of the general state of the country and of the position in foreign affairs, there is express recognition of the necessity that existed in 1558 for some kind of economic and social reconstruction. To a very limited extent, this did take place, which is Elizabeth's only real title to fame. With a passing glance at literary and cultural aspects<sup>1</sup> the author passes to what is his real business, to show us what sort of Protestant Church it was that was actually established.

Nowhere in the long course of English history is the general reader confronted with so many unproved and unprovable statements as in the commonly received accounts of the Elizabethan Settlement. First, the Anglican postulates: that the majority of the people of England welcomed it by reaction from the rule of Queen Mary and because they were ready for the adoption of Protestantism; that the "Marian clergy" were simply waiting to conform and needed no pressure; that the desired "Via Media between Rome and Geneva" was in great part a reversion to the system of Henry VIII and not a funda-

<sup>1</sup> He adopts, in effect, though he does not quote the dictum of Dover Wilson, that English Literature would have fared badly if it had been solely dependent on Gloriana and Burghley.

mental change of religion; and the myth that there were two more or less equal minorities of "extremists", i.e. "Romanists" and Calvinists, while the great bulk of the nation was averse from both of them. This particular piece of distortion was employed by the late Bishop Frere,<sup>1</sup> who hit upon the device of writing of the whole body of the English Catholics as "Marians" as if they were a sect, as if England had never been fully Catholic before, and who was careful to refer always to papal authority as something that had started with the Counter-Reformation.

The explanations furnished by the "undenominational" writers are likewise based upon their own assumptions: that what the people wanted, and got, was release from clerical control over the life of the laity, though the fact is that never, at any time, were English people so watched, reported on, controlled and coerced as in the matter of religion during the reign of Elizabeth I; that the fundamental statutes of Supremacy and Uniformity—which these writers describe as the joint work of Queen and Parliament—had the general assent of the people; that Elizabeth merely desired conformity for the sake of public order and had no desire to exert her Supremacy. Then, thirdly, there are those familiar and persistent assertions in which Anglican and Agnostic unite: that the system worked smoothly from the outset until needlessly disturbed by papal intervention; that there was a well understood difference between the treatment of born Catholics and that accorded to people converted by the missionary priests; that there was no persecution until the plots began; and that the persecution was self-defence on the part of the government against "enterprises" for assassination and invasion. The reign of Elizabeth I has in fact been made a battle-ground for the last hundred years and despite the vast accretions of historical knowledge is still the subject of legendary treatment. The accession of the present Sovereign was taken as the opportunity for an outburst of journalistic clap-trap about "a New Elizabethan Age", as though Elizabeth I had been some kind of beneficent goddess. "A completely objective account of events in Elizabeth's reign cannot in actual

<sup>1</sup> Frere, W. H.: *History of the English Church under Elizabeth and James I*, 1558-1625.

fact be written," says a modern authority.<sup>1</sup> Very few have tried to do so. Very few have possessed the necessary qualifications, for the exploration of the foundations of a national church cannot be successfully undertaken by anyone not possessed of theological learning. It is here that the present author excels. As he himself says of Hooker, "he lights up many dark corners of the history of the great change", and he has done so by combining the narrative of external events, proclamations, statutes, parliamentary proceedings, governmental acts with a searching examination of the doctrinal views and arguments to be found in the contemporary utterances and in the correspondence of those principally concerned in the changes. The whole of Part I, comprising more than two hundred pages, is filled with direct and authentic evidence of what the Reformers themselves said and thought about their beliefs, their difficulties, their plans and their prospects; and it can be said with confidence that nothing comparable will be found in any other book on the English Reformation.

The essence of the work is therefore the documentation. What the Reformers actually wrote to one another, their own accounts of the position from time to time, their own estimates of their chances, what they felt and hoped about what was going on, can be seen in numerous quotations from the Zurich Letters, a source not greatly in favour with modern Anglicans. The works of Bishop Jewel, a contemporary more often praised than quoted, are likewise laid under contribution in some thirty extracts. At least sixty references to the *Homilies* will be found in the pages (102-13) devoted to that subject. There is the same care to provide evidence, not mere assertion, in such things as the actual text of oaths and instruments, lists of the names of the men taking part in important transactions (e.g. members of the Council), their ages at a certain time, or particulars of their past careers, statistics of ordinations, institution, deprivation, and so on. The result is a new and convincing picture of that curious product of different, and even conflicting, influences: what the zealots and hot gospellers wanted—but did not get; what the Queen wanted; what the politicians wanted; and what, eventually, the obedient mass of the population had to accept.

<sup>1</sup> Black, J. B.: *The Reign of Elizabeth* (1936).

Mary's reign had put an end to "Catholicism without the Pope". What was "the Alteration of Religion" to produce? What was the English people to be converted to now? Was it to be a return to Edwardian Protestantism or to Henrician Ambiguity? The Supreme Governour was herself undecided about everything except not being a Catholic and kept them guessing. The returned exiles from the Continent were Calvinists; the majority of the Commons, quietly disaffected under Mary, were definitely Protestants, though somewhat less extreme, but they did not get their way altogether. They got a fresh version of ambiguity, less "Catholic" than Henry's, something less Protestant than what was desired, not stark enough immediately to divide the nation yet definite enough to let them see that they were going to be carried along the path of change at a pace to be determined by the Supreme Governour. This was the outcome of political considerations much more than doctrinal, of the delicate position in foreign affairs, of the dangers from France, Spain and Scotland and so forth. Elizabeth, made by circumstances and heredity a Protestant, was by personal inclination a *politique* and a sceptic. The disappointment of the zealots was acute. They would have made a Protestant revolution at once, in conjunction with the returned exiles, and they were urgent to put the death penalty into the Act of Supremacy. "Nothing was too sharp against Papists." How their claws were blunted has been explained by the researches of Professor Neale.<sup>1</sup> Yet, though Elizabeth thwarted them, she did not get her own way, because from the very outset the Protestant element was too strong in the Council and in the Commons and among the well-to-do. What she wanted was uniformity without fanaticism or controversy and, of course, the unquestioned exercise of her Royal Supremacy. Instead of which, she had, as time went on, to fight for her Establishment,<sup>2</sup> and if she had not done so with energy and skill it would not have been in existence by the end of the sixteenth century. Her attitude to Calvinism and Puritanism was essentially that of

<sup>1</sup> Neale, J. E.: *Elizabeth I and Her Parliaments, 1559-1581* (1953).

<sup>2</sup> She is often described as a national leader. In the matter of religion she was manifestly nothing of the kind. Had she set up a Calvinist church she would have had far more popularity with many of her subjects; but it was the one thing she would not do.

James I. She did not intend that preachers should set limits to her authority. "I will tell you what the Queen's Majesty said," wrote Sandys to Wilson, "that these puritans were greater enemies to her than the papists." Nobody knew for certain even after twenty years how long or how far she would support any religious programme, for the secret of her technique as ruler was always to keep people guessing. Horne of Winchester tells Bullinger at Zurich: "Our excellent Queen, as you know, holds the helm and directs it according to her pleasure." How cleverly she held it, especially between 1566 and 1572, has been admirably demonstrated, and for the first time, by Professor Neale in the great work already referred to.

After 1559 the Reformers were in power but were very conscious of being a small minority. Harding's contemptuous description "a few Calvinists of one little island" is corroborated by their own words. "We, that little flock who . . . have been hidden in Germany," says Cox of Ely, and again in 1562: "there is an immense number of papists in these parts." "Our little flock," says Horne, in 1565, "is divided into two parties." Once it was generally understood that popery was legally abolished and the true religion of Christ restored, the little flock increased, but they were still not aware that England was a Protestant country. The familiar statement that the "Marian pastorate" passed over quietly to the new established church is untrue. Cox declared in 1559 that many of the nobility and vast numbers of the people were beginning to return to their senses, "but of the clergy none at all", for the whole body remained unmoved. What, then, did the Marian clergy do, *as a body*? The majority simply left their churches and cure of souls; they went underground. "Now that religion is everywhere changed," wrote Jewel, in 1559, "the mass-priests absent themselves altogether from public worship." Cox says the same thing. "The popish priests among us are daily relinquishing their ministry, lest, as they say, they should be compelled to give sanction to heresies." "Popish priests," says Sandys (then bishop of Worcester), "have forsaken the ministry and yet live in corners and are kept in gentlemen's houses." There the Mass was said for years after 1559 because, as Peter Martyr was told by his correspondent, "they are full of hope and anticipation that these

things cannot last long". This was enough to satisfy Cecil for some time; but towards the Catholic bishops he had a sharper policy. The Oath of Supremacy was formally tendered to them and on refusal they were deprived and imprisoned. The parish clergy were not pursued in the same way because he deemed that time was on his side, as indeed the event proved.

The Reformers were very conscious, too, of having forsaken the Synagogue of Satan and found Christ. "We have forsaken the church as it is now," says Jewel; "we, in altering religion, have gone from that church which had power to err"; and he claims that by Bible-reading and study they have found their way back to the Church of the apostles and the ancient fathers. They are, likewise, one in faith with the theologians of Strasburg, Zurich and Geneva. Thus, in 1562, Jewel writes to Peter Martyr: "We do not differ from your doctrine by a nail-breadth." Two years later Horne of Winchester tells Bullinger the same thing. All of which shows clearly enough that the Protestantism of the divines was a different thing from that of Elizabeth and her government and that the difference between those who remained in and conformed to Elizabeth's Church and those who refused and resisted was not doctrinal but temperamental. Many of them preferred safety to autonomy and conformed with reluctance to the Queen's religion. This explains the persistence and strength of the subsequent Puritan opposition which grew up as the reign went on. From the very beginning the division was deep and bitter. What galled men like Grindal and Cartwright and Travers was the fact that while they held the doctrines of Zurich they were not allowed by Elizabeth to have the same rites, or rather absence of rites, as the true believers overseas. That is why the Puritans abused the Elizabethan Settlement and the Elizabethan bishops in very similar terms to those used about Catholics. That is why, later on, Whitgift was "the Caiphas of Canterbury" and Aylmer of London a "wolf, bloody persecutor and apostate", when those prelates sat in the Court of High Commission enforcing the Queen's ordinances. But so Calvinistic were some of the Elizabethan bishops, e.g. Grindal and Horne, that in the frankness of their correspondence with their friends overseas they were led to assimilate the Lutherans and the Catholics. They must not



resign their sees in case they open the way to "a Lutheranopapistical ministry"! It is obvious that if episcopacy had been abolished in England (as it certainly would have been, had Edward VI lived a few years longer), and something on the lines of Geneva or Zurich had been substituted, none of these men would have had the least objection. Even in the Council the extremists were strongly represented: Leicester, Bedford, Bacon, Walsingham, Davison, Mildmay, Knollys and others. But though Cecil was with them in spirit and in opinion he knew the mind of the Queen, as they did not, and it was the Queen's way that prevailed. It was from the outset a house divided against itself.

Immediate acceptance of the full, Henrician, Royal Supremacy, as claimed and enacted in the Statute of 1559, could not be and was not expected. An ingenious piece of ambiguity was devised and promulgated to explain that the supremacy meant no more than a jurisdictional authority over all persons, clerical and lay, so that the priest was answerable to the sovereign for his conduct equally with the layman. This document, called *The Admonition to Simple Men*, professed to contradict the false and malicious slander that the Queen claimed to possess "authority and power of ministry of divine offices in the Church". All that she claimed was sovereignty and rule over all manner of persons born within the realm. There was nothing to be alarmed about. All they had to do was to accept the Supremacy, to attend church, use the new rites as if they were Protestant and renounce Catholic worship.<sup>1</sup> They could, of course, *believe* what they liked: they need not believe anything they did not want to believe. This was actually called by Pollard<sup>2</sup> "a judicious proclamation which whittled down almost to nothing the change against which the [Catholic] bishops had fought", and by Black "a qualitative difference of wording which sacrificed nothing of the substance of power but was intended to soften the impact on the Catholic conscience".

Perhaps the greatest revelation in this volume is the account

<sup>1</sup> This is what S. T. Bindoff in *Tudor England* (p. 235) blandly calls: "the government's refusal to trample on peaceful Catholicism"—a good sample of the usual treatment of this matter.

<sup>2</sup> Pollard, A. F.: *History of England from the Accession of Edward VI to the Death of Elizabeth*, 1547-1603.



of how the new *Ecclesia Anglicana* was staffed and, in particular, how the 9000 (or so) ordinary livings were filled. A number, not easy to determine but certainly not very large, of the Marian clergy did conform. According to contemporary testimony many of these were, in the eyes of the Reformers, matter for conversion themselves. "The far greater part of the remainder," wrote George Withers to the Elector Palatine, "are most ignorant persons", incapable of preaching and merely able to repeat the office of the day. Lay patronage, a thing always open to abuse, had been immensely increased by the Dissolution and now became a rampant evil. Harrison, who wrote in 1576, speaks of "the covetousness of patrons who do bestow the advowsons of benefices upon their bakers, butchers, cooks, falconers and so on instead of other recompense for their service". Weavers, pedlars and the like took Orders to supplement their earnings. In hundreds of parishes the incumbent was not an ordained minister at all.<sup>1</sup> Moreover, the strong anti-Settlement current which had begun at almost the same moment as the Settlement itself kept out many of the zealots and left more room for the "boys and serving-men", because those who detested crosses and copes and candles detested also the Royal Supremacy which prescribed those intolerable corruptions. Father Hughes gives pages of details taken from Visitation Records to exemplify the statements of the eye-witnesses. And it must be remembered that this state of things was by no means confined to the early, difficult years. Overton, Bishop of Lichfield, complains of it in 1584, and in 1598 Hooker thinks the problem insoluble. The plague extended to the schools and to the universities, which during this reign were at their lowest ebb. Many of the abuses, in short, against which the Reformation was a revolt were continued and some of them intensified. The universal simony was the worst of all and the fount and origin of it was the Queen herself.

Elizabeth, who inherited many of the characteristics of both her father and of her grandfather, had all Henry VII's pro-

<sup>1</sup> Barlow, Bishop of St David's, had maintained in the time of Henry VIII that "ordination was not necessary to fulfil the Church's ministry and that any cobbler could be a bishop without receiving any Orders, provided he were designated by the King". (Constant: *The Reformation in England*, I, 409.) This probably gave rise to the belief that Barlow himself was never consecrated.

pensity for avarice, but in her case it was turned to account politically, because her extreme economy in administration (not personal expenditure) obviated recourse to Parliament for supplies. That is why she would not pay anyone if she could possibly help it, not even the seamen who fought the Armada. Burghley, who called himself, with reason, "the poorest lord in England", once remarked that in twenty-six years "he had not benefited so much as within four years of King Edward" (1550-53).<sup>1</sup> Walsingham's last days were spent in poverty and the poet Spenser died in want. Where, then, did she turn for money? Before Recusant Fines became an appreciable part of the revenue it was Church property that provided her with the fullest opportunities. Early in her reign the plundering of the episcopal sees was systematized.<sup>2</sup> In April 1559 she got an Act whereby, on the avoidance of any archbishopric or bishopric, the Crown could take land, giving in exchange inappropriate parsonages and tithes. Parker had offered her 1000 marks p.a. in lieu, but the offer was rejected and the see of Canterbury was robbed of half its ancient estates. The effects of this policy were soon seen and felt in the character and actions of the men appointed as bishops and it is not surprising when we read of what was done. Scambler, for example, was forced to alienate the best manors of the see of Peterborough and to do the same when translated to Norwich. Pilkington, at Durham, was confined to his own house for resisting the spoliation of the see; the temporalities were seized and to recover them he had to pay £1000 p.a. for the rest of his life. Barnes at Carlisle and later at Durham had to surrender to the Crown a whole string of manors on both occasions. Sandys had the same experience at Worcester, Berkeley and Godwin at Bath and Wells; Coldwell was kept out of Salisbury for two years while the offer of the see was hawked around to anyone who would agree to give the

<sup>1</sup> Cecil did not receive his peerage for his services. He was given a barony in 1571 because his daughter Anne was being married to Edward de Vere, seventeenth Earl of Oxford, the premier Earl. It was meant to lessen the great disparity in rank between the two families and, even so, the match was regarded as a *mésalliance*. Burghley was appointed Lord Treasurer in the following year.

<sup>2</sup> It began under Henry VIII. In 1545 Robert Holgate, on translation to York, surrendered to the King sixty-seven manors and got "in exchange" thirty-three impropriations of dissolved religious houses. In 1551 John Poyntet gave up the benefit of the lands of the see of Winchester for 2000 marks per annum.

Manor of Sherborne to Ralegh. Bullingham was completely ruined by the Queen's demands. When Cooper was at Winchester the see was robbed by the Queen, Leicester,<sup>1</sup> and Walsingham to such an extent that out of £2513 p.a. the unfortunate bishop had under £400 p.a. for all purposes. Day was forced to pay £1000 to Sir Francis Carew, the Queen's cousin. Fletcher who had begged for London had to pay £2000 for it. The see of Oxford was kept vacant for twenty-two years after the death of Hugh Curwen and that of Ely for twenty years after the death of Cox. The story of the plunder of Ely, the third richest see in England, for the benefit of Hatton (mainly) is in fact the longest and most scandalous of all. What was the result? These men tried to recoup themselves and to get what they could out of it by any and every means: by corrupt and extortionate bargains, simoniacal transactions, alienations for the benefit of their own children<sup>2</sup> and relatives. Sandys dismantled the episcopal residences at Worcester and Hartlebury, selling everything he could lay hands on. Translations made matters worse, for the impoverished successors, with fresh burdens laid on them, had then to resort to some fresh devices, and so all these men came to be hated and despised. Half of them died in debt to the Queen.

During the lifetime of Elizabeth's seventh Parliament (1586-87) the general level of the parish clergy was such as to call for drastic reform, and surveys, by counties, were drawn up by their Puritan critics for the information of the House of Commons. The figures furnished as instances of clerical ignorance and clerical ill-living are very remarkable and have been the subject of some discussion: it may however be sufficient here to quote the statement that in 97 parishes in London there were not above four godly, learned, sufficient, resident and diligent ordinary pastors. Bills were drawn up proposing the expulsion of all one-time Mass-priests; the appointment in every parish of a committee of laymen as censors; the provision of resident,

<sup>1</sup> Whitgift said that "all the evil bishops and deans" in England were nominees of Leicester.

<sup>2</sup> There were a good many of these. Scambler, for instance, had a large family; Aylmer, ten children; Cotton, nineteen. Barlow, the worthy father of Elizabeth's episcopate, was actually the father-in-law of five of her bishops: Westphaling (Hereford); Mathew (Durham); Day (Winton); Wickham (Winton), and Overton (Coventry and Lichfield).

learned preachers whose stipends should be raised by a rate; the adoption of a new prayer book called "A Forme of Common Prayer" instead of the official Prayer Book of 1559, which was much too popish; and the supersession of Lord Bishops (a calling not agreeable to the Word of God) by an assembly of lawful ministers and elders. That these attempts further to presbyterianize the Church of England did not prosper was, of course, primarily due to the determined attitude of Elizabeth and Whitgift and the resolute exercise of the royal authority by the Ecclesiastical Commission. The success of all such efforts, both executive and propagandist, was largely due to Richard Bancroft who, as Bishop of London and afterwards Archbishop of Canterbury, did so much to reverse the Puritan current and to promote that reaction which was to render possible the High Church of Charles I and Laud. The intense hatred of the Puritan fanatics manifested itself in the famous Marprelate tracts and in a plot to dethrone the Queen. There were trials and executions and some of the conspirators died in prison. These men had the sympathy of a majority in the House of Commons and but for the strong hand of the executive the Settlement would certainly have been overthrown.

Other notable sections of the long chapter entitled "Difficulties from Within" discuss the Court of High Commission ("a Star Chamber for ecclesiastical cases"); that immensely important work Hooker's *Ecclesiastical Polity*; and the powerfully formative influence of the Geneva Bible. This translation, made at Geneva by a group of Marian exiles, and heavily annotated, was first published there in 1560. It has been described as "a book undertaken at the instance of a Calvinist congregation by Calvinist scholars for Calvinist readers". It was the favourite in England during the latter part of Elizabeth's reign, so much so that of 58 editions of the Bible issued between 1583 and 1603, 51 were of the Geneva Bible and only seven of the quasi-official Bishop's Bible. "If," says Father Hughes, "it was John Foxe's immensely popular *Book of Martyrs* that finally made the Englishman anti-Catholic almost by nature, it was this bible of Whittingham and Sampson that made the religious Englishman also by nature, as it were, anti-sacerdotal, a Low Churchman if not a Free Churchman." Part I, entitled "The

Second Conversion of England", concludes with some reflexions on the questions: Was England, at any time, ever more "Church of England" or "Protestant" than it was Catholic in 1529 or was it—ever—even as much so? Was not more destroyed after 1529 than was ever rebuilt? Was the Englishman of 1603 more, or was he less, influenced by religion in his conduct than the Englishman of 1529? Is it not from these generations that we must date the unruffled "religionlessness" of the very mass of the nation? The mere transcription of these searching questions is enough to indicate the force and the originality of the treatment.

The Second Part is filled with information on just those points which are so carefully omitted from the general accounts of the English Reformation and have not been fairly or fully treated in certain others. Among these are the policy of extermination adopted in 1581; the purpose of the Act of 1585; the official standpoint (and propaganda) that the essential purpose of the missionary priests was to preach treason; the real reason for deportation, in those cases where the priests were not executed; whether Father Robert Persons, S.J., was "a politician in a priest's disguise"; the validity (which Father Hughes upholds) of Persons' persistent claim that his objects were solely missionary and spiritual; the sophistry of Professor Pollard's apologia for Elizabeth and Burghley; the falsehood of Burghley's claim that the only Catholics executed were those who had declared that they would welcome and assist a Spanish invasion. With masterly force and point Father Hughes reverses the old accusation "the end justifies the means" by showing that this was in truth the policy of the government: to indict, condemn and execute the missionary priests for acts which they had not committed because it was necessary to stop the conversion of England, and to discredit them by using the answers extorted by the rack to support charges of wholly mythical "treason". The conclusions of Pollard, Conyers Read<sup>1</sup> and Meyer<sup>2</sup> all come under review in this penetrating examination

<sup>1</sup> Conyers Read, E.: *Mr. Secretary Walsingham and the Policy of Queen Elizabeth* (1925).

<sup>2</sup> Meyer, A. O.: *England and the Catholic Church under Queen Elizabeth* (1910). English translation (1915) by J. R. McKie, Cong. Orat.

and it is fairly safe to predict that a great many readers of this work will be considerably surprised.

They likewise will be interested to see what is said about Persons and to compare it with the view of the late Father J. H. Pollen. Pollard, who speaks for the whole anti-Catholic tribe, calls the schemes of Allen and Persons so much criminal folly which could only have produced blood-shed and disorder and that "it is hard to say to what lengths a nation is not justified in going in order to protect itself". Against this view of Persons as a born conspirator Father Hughes brings forward the curiously naive reassurances which the Jesuit gave to London priests who were dismayed at his coming, that it would be easy to show that the Jesuits had no political aims simply because if foreign princes had wished to send men for such purposes they would have sent men of greater importance, "mounted and better apparelled"; and again, that no Catholic would believe a word they uttered if they did broach matters of State after all their oaths and protestations to the contrary. He apparently imagined that this would have been effective with Crown lawyers and a London jury. Father J. H. Pollen said roundly that the whole business of making plans for the restoration of Catholicism by force of arms was a tragic mistake and that Persons adopted a course injurious to himself, to his Order and to his country. To this Father Hughes' observation, that there was a world of difference between the situation in England in 1580 and in 1582, a difference created by the successful apostolate of Persons himself and of Campion, hardly seems an effective reply. It is easier to agree that Persons, as a born organizer, would have been the ideal director-general of the missions, would likewise have made the maximum use of the English College, and that it would have been a very good thing if he had been sent to England as a bishop. A bishop was indeed needed for more purposes than the consecration of holy oils, notably to regulate the distribution of the missionary work, a thing that was never properly done. But a great change of feeling must have been created—it clearly was, in Allen—by the executions of 1581 and 1582 and the violent persecution in the North set on foot by the Earl of Huntingdon.

The section entitled "Conflict" gives in just over sixty pages

that are packed with details and references the most complete and crushing answer that has yet appeared to the usual *suppressio veri* and *suggestio falsi*<sup>1</sup> about the persecution. On the first page we find two sentences from foreign scholars; Conyers Read, writing of the Acts of 1581 and 1585, says: "There can be no doubt that in these laws Parliament aimed at nothing less than the extermination of all Catholic preachers and of all Catholic sympathizers in England;" Meyer is equally explicit: "That [the complete destruction of Catholicism in England] was Burghley's object cannot seriously be denied." Neither of those scholars is a Catholic. Neither is English. Therefore neither is constrained to deny plain facts that no English historian will ever clearly admit. Then comes the factual, detailed demonstration, accompanied, as usual, with statistics and a map: how some were put to death under the old Statute of Treasons of Edward III, some for denying the Supremacy, many for mere priesthood, some for saying that the Queen was a heretic, one for having in his possession a papal bull about a jubilee; and the laymen and the women, for harbouring priests; seven for being reconciled, five for persuading others to be reconciled; some for almost anything. One was a youth, stopped on his way to Douay; one had procured a dispensation to marry his cousin; one a bookseller who stocked Catholic books and so on. We know them; but the general reader has never heard of any of them. Acknowledgement is made here of the high and unique value of Meyer's book; but even Meyer, with all his candour and unusual regard for the facts, fails in lumping together the trials juridically (so to speak), and in not taking the actual indictments and the statutes on which such indictments had to be founded. "Knowledge of this," says Father Hughes, "is a first preliminary to any enquiry about the moral guilt of the prisoners (as distinguished from their legal guilt), or about the good faith of the government." An equivalent error

<sup>1</sup> For instance: "Elizabeth was a national leader and her government never put anyone to death without a strictly political reason, whether good or bad," and again: "She contented herself with fining Romanist laymen who did not involve themselves in Romanist politics and executed only priests, Jesuits and conspirators." *A History for British People*, by D. C. Somervell (1929), pp. 453-4. The strictly political reason would have vanished, of course, had the condemned men acknowledged the Queen "Head of the Church"! But those offers of reprieve and pardon on that condition were not accepted.



is made by Conyers Read in lumping them together chronologically: "The persecution of priests during this decade ought to be regarded as essentially a war measure. The Queen and her government were fairly pushed to the wall and they struck savagely at every one who bore the appearance of an enemy." This does not touch the cases of about eighty martyrs who suffered death between the year 1590 and the end of the reign when England was in no danger whatsoever. It does not touch the cases of young men who had had no more to do with Guise and Parma than with Fitzmaurice and Stukeley, who were captured as they landed, or even taken off boats in the harbours. Moreover, there was no plot against Elizabeth's person before 1584, and the only priest who was ever really and truly so involved was John Ballard. Allen's *Defence of Catholics*, to which non-Catholic writers are not in the habit of alluding, explains forcibly all the malice of that pretended justice which consisted in asking men during trial, or under torture before trial, what they would do in a future contingency in the hope of using such answers to create a presumption of guilt before the actual trial and as a justification of the sentence afterwards. They were tried under statutes which made their very existence and status a capital offence. "No one," says Father Hughes, "was ever put on his trial charged that he had said: 'in the event of the Pope sending an army into England to restore the Catholic religion, I will take sides with the army', or that he had persuaded others to take this view of their duty. There was no statute under which men could have been tried for such a declaration." The so-called "Bloody Question" was invented not to prove guilt legally and secure conviction, which it could not legally do, but to discredit the sufferers and to demonstrate that they had not suffered for their religion. The importance of the point can be more clearly seen if the "Six Articles most proper to try whether men are traitors or not" are set out textually:

Whether the Bull of Pius V against the Queen's Majesty be a lawful sentence and ought to be obeyed by the subjects of England?

Whether the Queen's Majesty be a lawful Queen and



ought to be obeyed by the subjects of England, notwithstanding the Bull of Pius V or any other bull or sentence that the Pope hath pronounced or may pronounce against her Majesty?

Whether the Pope have or had power to authorize her subjects to rebel or take arms against her or invade her dominions; and whether such subjects, so doing, do lawfully therein?

Whether the Pope have power to discharge any of her Majesty's subjects, or the subjects of any Christian prince from their allegiance or oath of obedience to her Majesty, or to their Prince for any cause?

Whether Dr Saunders in his book of the Visible Monarchy of the Church and Dr Bristow in his book of Motives (writing in allowance, commendation and confirmation of the said Bull of Pius V) have therein taught, testified or maintained a truth or a falsehood?

If the Pope do by his Bull or sentence pronounce her Majesty to be deprived, and no lawful Queen, and her subjects to be discharged of their allegiance and obedience unto her; and after the Pope or any other by his appointment and authority do invade this realm; which part would you take, or which part ought a good subject of England to take?

The need for this close and factual examination of the whole matter will be realized when it is remembered that even Meyer wrote that: "a considerable number of missionaries declared on trial that in case of war they would side with the invading army". Actually, there was only one who did so. It is safe to predict that many readers of this brilliant and learned book will be considerably surprised at what they will learn from it; in particular, they will be better able to judge for themselves how much truth there is in a recent verdict that "there was solid substance in Burghley's defence [that the martyrs] perished not as Catholics, but as traitors".<sup>1</sup>

The illustrations, as will be expected, are closely and

<sup>1</sup> Keith Feiling: *A History of England: from the Coming of the English to 1918* (1950).

carefully related. Those of documents are: pages from the Geneva Bible, Foxe's *Book of Martyrs*, Campion's *Decem Rationes*, *The Christian Directory* (Persons); title pages of Calvin's *Institutes*, *The Rhemes Testament*, Allen's *Admonition*, and a page of an autograph letter from him to Lord Paget (1590); Bullinger's *Sermons*, Jewel's *Apologia* and Harding's *Confutation of Jewel*, Burghley's "Long and Crafty Letter" to Mendoza, and two documents about Topcliffe's activities as a licensed private torturer: one, a letter from him to the Queen asking leave to torture Father Robert Southwell, S.J., the other, a warrant from the Council giving him leave to torture a priest and several other persons.

The portraits are: Cuthbert Mayne, Elizabeth (in 1579), Jewel, Foxe, Bullinger, Whitgift, Cartwright, Huntingdon, Burghley, Gregory Martin, Cardinal Allen, Philip II of Spain (in 1588) and Sixtus V (a photograph of the splendid bust formerly belonging to the late Henry Harris and now in the Victoria and Albert Museum). These last three—to the Protestants—a sort of "Satanic Trio".

There are six Appendices. The most important of them is a set of P.R.O. documents (1561-80) concerning the measures taken with Recusants. Of these the first is a report apparently made to the Council by commissioners appointed under the Act of Supremacy and contains a list with particulars of 61 clerics and scholars who are to be kept under observation and restraint. The second dated 1569 is about twenty-two barristers summoned and interrogated "for causes ecclesiastical", i.e. non-compliance with the Acts of Supremacy and Uniformity. The third which comes, like the second, from the High Commission, is full of names and particulars of Recusants in custody in various prisons and castles in Yorkshire, with orders made by the Council of the North and instructions to gaolers, names of Recusants committed, or "entering into bonds or otherwise conforming themselves", amounts of recognizances and so forth. It is all very awkward evidence for writers who persist in asserting that Catholics who kept quiet were not molested.

The great work is now completed. Father Hughes has told the whole story from the beginning under Henry VIII to the

death of Elizabeth in a manner commensurate with the subject. We can follow it all: the first stirrings of his conscience, the monstrous theological pretensions, the setting up of a Khalifate styled the Royal Supremacy; the banditry of the governing clique under Edward VI, while a medley of wild doctrines was disseminated by foreign heresiarchs brought here by Cranmer; the dismal and disastrous reign of Mary, when everything went wrong from first to last and when an unjustified revival of the old heresy statutes did immense and lasting harm; and then the strange panorama of the Elizabethan Age, so profoundly different from the legendary accounts of it supplied by what Belloc used to call "official history". Under this powerful searchlight the reader—whether he likes it or not—will perceive a great many things of which he has not been told before and he will, at long last, be given a complete and comprehensive view of what really happened in the English Reformation. This great work has been carried out with such unfailing vigour of mind and sustained ardour of feeling that despite the mass and the intricacy of the material there is not a dull page in the three large volumes. Highly qualified judges have already said that Father Hughes possesses the double qualification of trained historian and trained theologian; to which may now be added the double qualification of a capacity for endless research and the amplest powers of expression. The great task has been performed, as Queen Elizabeth was said to dance, "with a high magnificence", and English historiography has now been enriched with a work of the very first importance and of lasting value.

J. J. DWYER

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## THE VALIANT WOMAN

THE new office of the Assumption of Our Blessed Lady, promulgated some years ago, brings into prominence one of the least-known types of Mary. The *Capitula* at Vespers, at Lauds, at Tierce, Sext and None are all taken from the Book of Judith, and extol both God and His valiant handmaid. "The Lord hath blessed thee by his power, because by thee he hath brought our enemies to nought. . . . Blessed art thou, O daughter, by the Lord the most high God, above all women upon the earth. . . . Blessed be the Lord, because he hath so magnified thy name this day, that thy praise shall not depart out of the mouth of men. . . . Thou art the glory of Jerusalem, thou art the joy of Israel, thou art the honour of our people." The verbal appropriateness to Mary of these praises is of course obvious; but surely we may look further than that, and see in the motives that inspired those praises a more profound and striking application to our Blessed Mother.

Judith is a type of our Lady with whom perhaps we are on rather unfamiliar terms. We can readily recognize Mary in Eve, "the mother of all the living", created in innocence; in the tones of the Magnificat is re-echoed the humility of Ruth; while Esther, in her power of intercession and her exemption from a universal law—"this law is not made for thee, but for all others"—is a gracious figure of the Immaculate Mediatrix of all graces. Judith, however, as a type of Mary, is less easily recognized. Of course, her deliverance of her people from disaster clearly foreshadows the Woman who was to crush the serpent's head. But Judith comes down to us, tinged perhaps by the Hebrew war-mind, in what seems too bloodthirsty a light; we are conscious of the grim details: Holofernes "weltering in his blood", his head severed at two strokes and put into Judith's wallet, his headless body rolled away from the canopied bed. It perhaps requires an effort to bring this war-like widow into alignment with the meek "handmaid of the Lord".

But if we have to make an effort, perhaps the fault lies in ourselves. Our attitude towards Mary may stand in need of

correction; in need of an adjustment of perspective. It is only too easy to trick out our mental image of her with a garish profusion of bright, sentimental colours; to dulcify her too insipidly, even to the point of cloying. But appreciation of any work of grace, as of any work of art, requires an appreciation of contrast, that its true beauty may stand out more prominently. And if in our well-meaning zeal for our Mother's prerogatives we tend to over-feminize her, we may end by making her too effeminate. She has indeed all those familiar and endearing titles with which we honour her: Mother most sorrowful, Comforter of the afflicted, Gate of Heaven, Lily of Sharon. But these are not all; they are not even the most important. And the first Lesson of the feast of her Assumption prosaically reminds us of something which is fundamental in Mary's place in God's plan: "I will put enmities between thee and the woman."

To be at enmity with the devil can by no stretch of the imagination be called a "maidish" virtue, in the sense of "maid" which unfortunately often corresponds with one idea of Mary. To be at enmity with the devil demands a correct appraisal of the foe and his wiles; it requires unwearying fortitude, and a persevering hatred of what is evil. And in Mary's perfect understanding there are no shadowy edges where right and wrong blend and imperceptibly merge. In her perfect will, sustained and strengthened by grace, there is no remission of effort, no slackening of energy. From the beginning she has been appointed by God to stand our champion against the devil and the powers of darkness. Her Divine Son Himself was indeed the only Redeemer, but by God's decision the Mother was associated with the Son in the great work of Redemption. Mary's consent to the Divine Motherhood was a condition of our salvation; the Body that bled on Calvary had been formed in the womb of Mary of Nazareth; and to the atoning sufferings of Christ on the Cross were united the agonies of Mary at its foot. We cannot ignore the part played by our Lady in the work of our salvation.

Since Mary is the Divinely appointed foe to the devil, we must not deny her a capacity for hatred. Hatred—a fierce, unrelenting and implacable hatred—she has towards all that is evil; the virile hatred of evil that led Judith to implore the Lord God to crush the power of the Assyrians, "who promise them-

selves to violate thy sanctuary, and defile the dwelling-place of thy name". And the "constancy in mind and fortitude" which Judith besought God to grant her, that she might bring His enemies low, Mary possesses in an eminent degree; nor is she surpassed by Judith in her zeal for God against His foes.

This iron-like quality of our Blessed Mother we ought never to forget. Grace builds on nature, we know; and we do no service to Mary by ignoring this inflexible trait in her character. Otherwise, we should place holiness—even the exalted holiness of the Mother of God—in a tame effacement of personality. Meekness, no defect of character, is, like every virtue, something positive. Christ Himself, the "meek and humble of heart", lashed the Pharisees with His tongue, and the money-changers with His arm; and though His tenderness towards the evil-doer was immeasurable, His hatred of evil was implacable. And in this, as in the rest, Mary resembles her Divine Son.

It is possible for human weakness to adopt an armed neutrality towards what is wrong; to conclude an uneasy truce on convenient terms. Our darkened minds do not at times readily appreciate the half-tones of truth. But surely the more intensely we love the right, the more intensely we shall hate the wrong; so that the measure of our sincerity in our efforts to follow the right can be taken from our attitude towards the wrong. "Either he will hate the one and love the other: or he will devote himself to the one and despise the other."

Judith reminds us with an almost brutal forcefulness of the logical implications that follow from a resolute determination to serve God alone, and a resolute hatred of all that stands opposed to Him and His interests. She is ruthless and terrible in carrying out her purpose, which is God's purpose. She gives evil no quarter, but pursues it into its own confines, confident in the sustaining power of the Lord Whom she has invoked to give her the victory. She is not content with strong defence; she has recourse to bold attack. There are no intermediate shades of grey in her conception of right and wrong; one is white, the other black. And her vindication of the right was ratified by the approval of God.

And it is in this light we should accustom ourselves to see Mary: not alone through the misty haze of incense, the sweet

scent of flowers, the persuasive harmonies of hymns. In her we must see Judith, the handmaid of the Lord, relentless and terrible in her hostility to evil.

Far from weakening our confidence in Mary, this thought only strengthens it. "I will set enmities between thee and the woman." We have a Mother in Heaven, all-powerful and truly compassionate; yet a creature like ourselves, who sets up the standard of opposition to the devil. She is invincible, and with her we shall not be defeated. She will never betray us, because she cannot. There is for all time and for all eternity sworn enmity between her and our own enemy; and she is no fickle ally, in whom confidence can be misplaced. The more wholeheartedly we serve her, the more wholeheartedly must we be opposed to evil. To see a situation through her eyes is to see the black and white in unhesitating bold relief, for her attitude must be God's attitude—the attitude of uncompromising "no quarter". It is too often difficult to separate the wheat from the chaff, to isolate the eternal in the eager flurry of passing interests. But Mary can, and with our Mother's help, so can we. With her there is no hesitation, no weak concession, no easy opportunism; and with her help, such single strength can be ours.

The Lord has blessed her by His power, because by her He has brought our enemies to naught. She is blessed above all women upon the earth; and her praise shall not depart out of the mouth of men. She is not only the glory of Jerusalem, the joy of Israel, the honour of our people; she is not only our life, our sweetness and our hope; she is terrible as an army set in battle array.

AIDAN BAKER, C.P.

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## NOTES ON RECENT WORK

## INFANTS DYING WITHOUT BAPTISM

IN these days when periodicals abound, the following of a theological discussion demands a large expenditure on subscriptions and a collector's flair for noting the significant items. This being so, the growing practice of writing long articles that survey and appraise the entire recent literature on a question of current interest is a fraternal kindness which should evoke our gratitude. Among the topics that are receiving the attention of present-day writers is the problem concerning the lot of infants who die without baptism. The articles of Father Leeming<sup>1</sup> have made readers of this REVIEW aware of the discussion, and the scholarship of the author has been used to display with effect the strength of the traditional thesis in the face of some recent doubts. Naturally, however, there will be a desire for further knowledge; readers will want to have more details of the discussion and to be kept in touch with developments. It seems opportune then to make known in these pages a relevant article, which is a survey of the kind described, and which furthermore does the even greater service of giving a carefully considered judgement of the present position of the matter, with an answer to the query whether the question is free. It is *Infants Dying Without Baptism: A Survey of Recent Literature and Determination of the State of the Question* by the Jesuit Father Van Roo. Written in English, it was published in the summer number<sup>2</sup> of the polyglot *Gregorianum*, the theological quarterly of the Gregorian University, Rome. A brief analysis of this weighty contribution will be attempted here.

The title defines clearly the twofold purpose of the author. His intention is firstly to survey the whole literature which has dealt directly with this question during the last three decades—a convenient period, he observes, because it takes us back to the studies of Billot, Stockums, and Gaudel, upon which defenders

<sup>1</sup> THE CLERGY REVIEW, 1954, XXXIX, pp. 66-85, 193-212, 321-40.

<sup>2</sup> Op. cit., XXXV, pp. 406-73.



of the classical teaching have drawn; and then secondly he wants to determine the present state of the question and to make a judgement concerning the limits of its freedom. The opening pages place the article in the setting of present discussions, declare its purpose, and remark the delicacy of the writer's task. The rest of the article is divided into two parts.

The first part of over fifty pages is by far the longest. It contains the survey of the literature. Father Van Roo's method is to give a critical analysis of the views of the four outstanding proponents of new solutions. In doing this, he further indicates whatever literature has formed about their opinions. Then he devotes a final section to a general consideration of the range of literature during these last thirty years. To summarize adequately his summary of the views themselves would not be a feasible undertaking; for that reason the concern here will be rather with the author's appraisal of them.

Father Hérís, the well-known Dominican theologian, is the first writer whose suggestions are examined. These were given in an article in *La Maison-Dieu* in 1947 which re-examined the teaching of Cajetan on this question. The first part of the article set forth the relevant teaching of the Church. Father Van Roo finds this exposition defective, because of the omission of several pertinent documents and the unsatisfactory handling of the Florentine decree *Pro Jacobitis*. When Father Hérís turns to the positive vindication of Cajetan, his remarks are of more value. His approach is to study the role of faith in the sacramentary teaching of St Thomas, and he receives due credit for thus drawing attention to a significant point that has a bearing on this present issue. When, however, his exegesis of St Thomas is examined more closely, it is revealed as regrettably imperfect. By omission, selection and emphasis, a false impression is given. After showing this in detail, Father Van Roo writes:

What, then, is to be said of Hérís' résumé of the teaching of St Thomas? It is not without foundation, for it is drawn from texts of St Thomas, but it is inadequate and somewhat misleading because it represents only an aspect of his full teaching (p. 415).

He also criticizes the ambiguity of the expressions used by the

Dominican, but goes on to commend the careful reserve shown by the author in concluding with a question. This reserve is in sharp contrast to the unfortunate imprudence manifested by the editors of *La Maison-Dieu* in their brief presentation of the article—not, may I add, the only example of a mistaken impetuosity in this matter. The varying reactions to the article are mentioned, and the Jesuit gives a summing-up of his own estimate. The study helps to clear up some historical questions concerning the attitude of the Church to Cajetan, and it casts some light on the importance of the role of faith in sacramentary theology; but in this latter respect the inadequate exposition has stimulated research rather than provided a solid basis for construction. In fine, the theory of Cajetan in itself would be unsatisfactory to all today, since its approach to the present problem is too narrow.

The writings of the Dutch Jesuit Father Mulders come next under review. He is obviously an exuberant author, and his fellow Jesuit has had some trouble in reducing his discursive and rhetorical developments into a coherent synthesis. He has succeeded in giving a clear, if necessarily complicated, statement of his teaching. Brevity and such authors don't mix; hence I must content myself with recording the more important of the observations made in the course of the analysis.

Father Mulders has hit the nail on the head in at least one particular. He "is absolutely right," remarks our author, "in his determination of what is the essential question in the discussion concerning the infants: the teaching of the Church on the non-salvation of infants dying without baptism *in re*" (pp. 432-3). Then, however, he wanders into obscurity and confusion in writing about the certitudes involved and the freedom of the question. Moreover, when he comes to the central point, the teaching of the Church, he is astonishingly off-hand.

To this essential question, to the direct consideration of the meaning of the documents of the Church, Father Mulders devotes slightly less than one full page of the serious *Bijdragen* article, and in this space, with the aid of a few distinctions, he banishes all difficulties! (p. 424).

This one-page performance is then examined and the absence

of sound historical method on the part of Father Mulders made manifest. The indications he gives of a positive solution are then gathered together and evaluated in this way:

There seems to be no need of detailed criticism of the brief indications Father Mulders has given of a rather ingenious personal synthesis. They are rough sketches, and in a sense they are projects for the revision of much of theology. So long as the basic demonstration of the dogmatic foundations is lacking, we are moving here in the realm of pure hypothesis (p. 437).

None the less, the patient *confrère* takes the trouble to point out a few of the difficulties facing the proposals made.

It was two years after the articles of the Dominican and the Jesuit that Father Boudes offered in 1949 some reflections on men's solidarity with Christ as a contribution to the present discussion. His approach is tentative, and Father Van Roo scrupulously respects the declared aim of the author.

In forming a judgement of the suggestions offered by Abbé Boudes one must keep in mind his purpose. It would be a mistake and an injustice to find fault with him for not having done what he had no intention of doing. As the editors indicate in their note of presentation, he is not concerned with determining the import of the statements of Scripture, Tradition, and the magisterium of the Church, a task to which earlier studies have been devoted. He is merely offering his personal reflections on one theological principle which may cast light on the problem. A theologian very probably will have found Boudes' method of rhetorical questions rather annoying. If the author's certitude seems at times excessive, if his questions seem to urge an imperious necessity of the law of solidarity and to drive the reader to admit the "necessity" of Christ's love showing itself in the salvation of the infants, one must recall that he is questioning, and that he concludes very modestly. These considerations should counsel moderation in an adverse critic. On the other hand, they should check, too, the impulsive conclusions of readers who would find here a theological foundation for their own desire to assure a means of salvation for infants dying without baptism (p. 445).

This passage conveys excellently the character of the study

under examination; its value and its limitations. Some critical observations follow on the suggestions of Father Boudes. This one on his elaboration of the law of solidarity deserves to be transcribed here:

... one must protest that the author's exegesis of the texts of Scripture is too simple. One cannot disregard representative scientific exegesis and propose a simple universalist interpretation which, carried to its logical consequences with the same simplicity, would lead to the ultimate salvation and union of all in Christ. If, then, some control must be exercised, *who* is to determine the limits? There is a fundamental illusion in the method which would deduce from the "laws of Divine love" the facts of the present order of salvation (p. 447).

The first task must be to determine what God has in fact ordained in this order of salvation; and here this involves the question of the manner in which the Church has understood the necessity of baptism, and "most of Abbé Boudes' reflections are irrelevant to this essential question" (p. 447).

The article caused some echoes and reactions in Ireland and England. Some brief comments are given on these. It is easy to infer that Father Van Roo regards Dr McCarthy's defence of the traditional position in the pages of the *Irish Ecclesiastical Record* as too rigid and categorical in its statements and arguments. He notes on the other side Father Drinkwater's contribution to *The Downside Review*. He extracts some of its comments, but dismisses the argument drawn by Father Drinkwater from a blessing in the new ritual for Germany; the latter seems not to have read the title carefully.

The last proposal calling for special consideration is that of Father Laurence, published in 1952. His approach is clear but radical. For the sake of brevity, the judgement on this opinion may be taken from the second part of Father Van Roo's article, where it is given in these incisive sentences:

The other [baptism is not the sole and adequate means] is the way of Laurence, who proceeds with contempt for the very terminology "baptism *in voto*", a terminology not only of theologians but also of the Council of Trent, and flatly denies the

universality of the necessity of baptism. This is not a way, but a chasm (p. 464).

The treatment given by the writer of the documents of the Church comes under severe stricture, and his theories are then curtly dismissed:

Father Laurence, then, has failed to establish his freedom to proceed with his solution, and until he can do so, it would hardly be profitable to go on to a detailed examination of the merits of his hypotheses (p. 456).

This brings us to the last section of the survey, which gives a conspectus of the literature on the question during the period covered.

The manualists with few exceptions have continued to hold firmly to the traditional position; and further a list is given of the theologians besides these who have set forth vindications of the doctrine. With commendable impartiality, some brickbats are reserved for the traditional expositions:

... one may note that at times these expositions and defences of limbo are too categorical, paying little attention to the nuances of opinions which are refuted and to the real value of the arguments used in the refutation (p. 457).

He gives some examples of what he means. Thus he considers that the condemnation of the error of Pistoia "is directed against a calumny on Catholic schools; one can hardly maintain that it lends dogmatic value to the teaching defended against the calumny of Pelagianism" (pp. 457-8). Nevertheless:

Admitting these weaknesses in particular arguments, one must recognize that the chief strength of the classic position remains: the morally universal teaching of theologians and a certain *sensus Ecclesiae* (p. 458).

An account then follows of the favourable reception given in a few quarters to the new solutions. Among the handful of writers mentioned, Dr Michael Schmaus, the great theologian

of Munich, is the most outstanding. His laconic observations are mentioned without comment, but they are surely a piece of theological legerdemain that would delight the connoisseur.

Finally, a list of some partial surveys of the literature bring the first part of the article to a close.

One cannot follow such a survey without asking oneself a few very pertinent questions. In the midst of the bewildering variety of approaches, is it possible to lay one's finger on the basic issue in this discussion? What are the certitudes in this matter? How far is the problem a free and open question? These points are of no little importance, and it is therefore with a feeling of eager interest that one peruses the second part of this weighty study where this aspect is examined.

It begins with a formulation of the common teaching in a series of five propositions. It is sufficient to give here the first three of these:

1. Baptism *in re* or *in voto* is the necessary means of salvation for all men after the promulgation of the Gospel.
2. For infants baptism *in voto* is impossible: for them the only means is baptism *in re*.
3. Infants dying without baptism *in re*, by the ordinary law of the present economy of salvation (allowing for exception in the case of martyrdom or special privilege) are not saved (p. 462).

Now, for Father Van Roo the basic issue in the whole of the present discussion is the second proposition: the impossibility of baptism *in voto* for infants:

If this is a dogmatic truth, or if in the Church's authentic interpretation this proposition necessarily follows from the defined truth contained in the first proposition, the debate is closed (pp. 463-4).

He points out that the only way, in fact, that can be followed in proposing new solutions is to seek some kind of baptism *in voto* for infants. The theories which suggest illumination and activity in the instant of death, or a *votum* on the part of parents or the Church, have followed this path. Any proposal that leaves aside the universal necessity of baptism, as does that of Father

Laurenge, must be ruled out of court. But even solutions of the first kind are only admissible provided that the *votum* proposed is shown to be compatible with the sense in which Trent understood baptism *in voto*; and furthermore it must be shown that the impossibility of baptism *in voto* for infants is neither a revealed truth nor a conclusion following from the revealed truth of the necessity of baptism as understood by the Church. The fundamental question is then as was stated: the dogmatic value of the principle that baptism *in voto* is impossible for infants. Is this principle part of the teaching of the Church? To this essential question, none of the advocates of broader solutions has given adequate consideration.

Now in a sense the only answer to a problem about the dogmatic value of a proposition is a dogmatic decision of the Church. In the meantime, however, there is room for an investigation by theologians, in order to determine as far as this is possible what is the teaching of the Church on the matter. Father Van Roo himself does not attempt this research, but he offers some observations which may be of value in the enquiry.

The testimony of St Augustine is the first subject of his remarks. He indicates the difficulty of determining the exact significance of the Saint's teaching on the non-salvation of unbaptized infants. Augustine was convinced that the non-salvation of these infants was a truth of faith. What is the force of this testimony? Father Leeming's first article is mentioned as showing that those who try to explain this conviction merely as anti-Pelagian exaggeration have over-simplified the character of this challenge to their positions. On the other hand, our author does not believe "that thus far there has been an adequate determination of the bearing of Augustine's testimony" (p. 467).

He then turns to the documents of the Church and finds two series of texts calling for consideration. First, there are the declarations concerning those who die with only original sin: the professions of faith of Michael Palaeologus,<sup>1</sup> John XXII,<sup>2</sup> and the Council of Florence.<sup>3</sup> He says that it is not enough to point out that in these there is no definition of our question; the texts

<sup>1</sup> D. 464.

<sup>2</sup> D. 493A.

<sup>3</sup> D. 693.

certainly suggest the presence of the conviction that as a matter of fact some men do die with only original sin—something which could not happen according to the new solutions:

A serious unprejudiced study of these documents cannot neglect the evidence for such a conviction, such a *sensus Ecclesiae*, to use a term which is sufficiently indeterminate to leave open the question as to the dogmatic value of the conviction. . . . Quite apart from the question of defined teaching, then, these texts present a challenge which has not been faced squarely by the liberators (p. 468).

Second, there are the texts concerning baptism of water as the sole means of salvation for those infants who die before attaining the use of reason. He lists the following: the decree of Florence *Pro Jacobitis*,<sup>1</sup> a passage from the Catechism of the Council of Trent,<sup>2</sup> a decree of the Provincial Council of Cologne of 1860, and the Address of Pius XII to the Italian Catholic Union of Midwives, given in 1951.<sup>3</sup> These documents are not presented as giving a definitive answer, but as providing indications of the mind of the Church. The author then points out summarily the force of these two series of texts. They represent an element of the ordinary teaching of the Church, an extension of the teaching on the necessity of baptism. They certainly give evidence of a conviction of the Church which supports two points in the reasoning behind the common teaching: namely, the impossibility of baptism *in voto* for infants, and the supposition that in fact some men die with only original sin. The first point remains the key one. Only the Church herself can indicate whether this conviction noted in her ordinary teaching is a dogmatic truth, or at least a conclusion necessarily connected with the revealed truth of the necessity of baptism. Until such a decision, he observes, it is practically impossible to determine the question of baptism *in voto* for infants.

Is then the question of the lot of unbaptized infants free? Here the author comes to the last and most delicate part of his

<sup>1</sup> D. 712.

<sup>2</sup> Pars II, caput II, n. XXXIV.

<sup>3</sup> *Acta Apostolicae Sedis*, 1951, p. 841; for translation, see THE CLERGY REVIEW, 1951, XXXVI, p. 385.



task. He begins by some preliminary remarks to exclude too impetuous an assumption of freedom from the fact of the present discussion; but he goes on to grant that there is room, indeed a great need, for serious theological research in the matter. The formulation of the present position that follows, and which concludes the article, must, despite its length, be given here in full:

As the question stands today, we are in the presence of a common theological teaching and a conviction which runs through a number of documents of the Church contrary to the new positions. This evidence of a common teaching of theologians and of a *sensus Ecclesiae* blocks the way to the various solutions seeking salvation for the infants dying without baptism. Nor does the recent wave of literature change the situation. Analysis of this literature reveals clearly that we are not in the presence of a new theological movement, properly so called. There has been an abundance of pleading, of appeal to principles of Divine love, of naive universalist exegesis, of rhetorical questions, of partial thumbnail histories of the teaching of the Church, but in all the literature which I have been able to find over a period of thirty years there is nothing which constitutes a solid theological position. It is a bit premature, then, to speak of a theological movement, and to assimilate uncritically the various positions which generally have been advanced by their authors with sufficient prudence and caution, avoiding any affirmations, looking to the Church for a sign of encouragement. No such sign has been given. Without exaggerating the dogmatic force of the recent statement of the Holy Father on the necessity of baptism for infants, one can say certainly that it offers no hope to anyone seeking for a sign of approval of a theory of personal desire on the part of the infant. Nor has the Church, in all its concern for the salvation of the infants, ever urged parents to make acts of love on behalf of the infant in the womb or encouraged them with the hope that their own love and ardent desire would supply for the lack of baptism. There is no sign, either, in the consciousness of the Church that it pertains to its role to obtain the salvation of the unbaptized infants through the *votum Ecclesiae*.

*Given the present state of the question,*<sup>1</sup> then, I should say that one is not free to affirm that all the infants are saved, or that all

<sup>1</sup> Author's italics.

infants dying unbaptized are given a means of salvation other than baptism *in re*, so that every one would determine his own eternal lot.

On the other hand, as matters stand now, the question is not definitively and irrevocably closed. We are in the presence of a theological tradition whose critical evaluation may well call for more delicately nuanced positions; and of a *sensus Ecclesiae* whose dogmatic force can be determined ultimately only by a dogmatic decision of the magisterium (pp. 472-3).

The outstanding characteristic that impresses the reader of this important article is its serene objectivity. The author has patently been inspired by no other desire than to determine accurately the present situation. His study is a model of tranquil theological enquiry; it is impartial in its criticism, but rigorous in its scientific method. His carefully weighed and moderate judgement merits our closest attention when we try to take our bearings in regard to recent writing on this subject.

CHARLES DAVIS

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## QUESTIONS AND ANSWERS

### ATOMIC WARFARE—THE HOLY FATHER'S TEACHING

According to newspaper reports, the Holy Father has made several important pronouncements on the morality of modern warfare during the course of the last year. What precisely has he said, and does it involve any change in the traditional doctrine of Catholic moralists? (M.)

### REPLY

i. Allocution to the VIth International Congress on Penal Law, 3 October 1953 (*A.A.S.*, 1953, XLV, pp. 730-44):  
 "... At the head of the list comes the crime of a modern war which is not demanded by the absolute necessity of self-defence

and which involves—We can say it without hesitation—unimaginable ruin, suffering and horror. The community of nations must reckon with criminals devoid of conscience who, in order to achieve their ambitious plans, do not shrink from unleashing total war. That is why, if other nations want to protect their existence and most precious goods and do not want to give free play to international evildoers, they have no alternative but to prepare for the day when they shall have to defend themselves. This right to stand on the defensive cannot be denied to any State, even today. This, however, in no way alters the fact that an unjust war ought to rank first among the gravest crimes which international law pillories, which it sanctions with the gravest penalties, and of which the authors remain in any case guilty and liable to the punishment assigned.”

ii. Allocution to the XVIth International Congress of Military Medicine, 19 October 1953 (*A.A.S.*, 1953, XLV, p. 744): “... Mutual good will still makes it possible to avoid war as the final means of settling differences between States. A few days ago, We again expressed the desire that there should be punishment at the international level for every war which is not required by the absolute necessity of self-defence against a very grave injustice to the community, namely, when there is no other way of avoiding it and it has to be undertaken if the field is not to be left open, in international relations, to brutal violence and unscrupulousness. Not any sort of injustice, therefore, justifies self-defence by the violent method of war. When the damage involved is disproportionate to that entailed by ‘injustice tolerated’, one may be bound to ‘undergo the injustice’.

“The point We have been making applies, first of all, to A.B.C. warfare, atomic, biological, chemical. As to whether such warfare can become simply necessary in *self-defence* against an A.B.C. war, let it suffice for the moment that we have put the question. The answer can be deduced from the same principles as those by which the lawfulness of war in general is nowadays decided. In any case, there is another question to be answered first: is it not possible to outlaw and banish A.B.C. warfare effectively by international agreements?

“After the horrors of two world conflicts, there is no need for us to recall that all glorification of war is to be condemned as

an aberration of mind and heart. Admittedly, strength of mind and bravery to the point of giving one's life, when duty calls, are great virtues; but wanting to provoke war, because it is a school of great virtues and an occasion for practising them, ought to be accounted criminal madness."

iii. Easter Broadcast to the faithful assembled in front of St Peter's, 18 April 1954 (*A.A.S.*, 1954, XLVI, p. 213). After painting a graphic picture of the catastrophic potentialities of the cobalt bomb, the Holy Father declared: "For Our part, whilst We shall never cease to strive in order that—saving always the principle of legitimate self-defence—atomic, biological and chemical warfare may be effectively outlawed and banished by international agreements, we ask this question: how much longer will men hold back from the salutary glow of the Resurrection and seek instead for security in the deadly rays of the new weapons of war? How much longer will they oppose their own plans of hatred and death to the precepts of love and promises of life made by the divine Saviour? When will the rulers of the nations realize that peace cannot consist in an exasperating and costly relationship of mutual terror, but only in the Christian maxim of universal charity, and particularly in justice, voluntarily done rather than extorted, and in trust, inspired rather than pretended? When will it come to pass that the learned men of the world will convert the wonderful discoveries of the profound forces of matter exclusively to peaceful purposes, so as to provide human activity with a cheap source of power which would alleviate scarcity and correct the unequal distribution of the sources of goods and labour, and also to supply new weapons to medicine and agriculture and new sources of prosperity and well-being to the nations?"

iv. Allocution to the VIIIth Assembly of the World Medical Association, 30 September 1954 (*Osservatore Romano*, 2 October 1954): "... It is evident that doctors have a part to play in time of war, and indeed a privileged part. At no other time is there so much for them to tend and heal, among soldiers and civilians, friends and enemies. No restriction may be placed on their natural right to intervene wherever their help is needed, and this indeed must be guaranteed to them by international conventions. It would be irrational and heartless to deny medical

aid to an enemy and let him perish. Have doctors a part to play also in the working out, perfecting and developing of the means of modern warfare, in particular, those of A.B.C. warfare? It is a question that cannot be answered until we have answered this other: is modern 'total war', particularly A.B.C. war, lawful in principle? There cannot be any further room for doubt, especially in view of the horrors and immense sufferings caused by modern war, that to start such a war without a just motive (that is to say, without being forced into it by an evident, extremely grave and otherwise unavoidable injustice) constitutes a 'crime' which deserves the severest of sanctions, national and international. There can be no question, even in principle, of the lawfulness of atomic, chemical and bacteriological warfare, except when, in the situation just described, it must be judged indispensable to self-defence. Even then, however, every effort must be made to avoid it by international agreements, or to set precise and narrow limits to its use, in order that its effects may be limited to the strict requirements of defence. And should the evil consequences of adopting this method of warfare ever become so extensive as to pass utterly beyond the control of man, then indeed its use must be rejected as immoral. In that event, it would no longer be a question of defence against injustice and necessary protection of legitimate possessions, but of the annihilation, pure and simple, of all human life within the affected area. That is not lawful on any title."

The words of the Holy Father have been given *in extenso*, notwithstanding the unavoidable repetitions, in order that the reader may be able to judge for himself their precise import. It is clear that His Holiness has not condemned A.B.C. warfare as intrinsically evil and therefore never justifiable. *Per se*, at least, it can be justifiable in legitimate self-defence. But as moralists have long insisted, it is not sufficient merely to have a just cause: two further conditions are required. The good which a war seeks to preserve or recover must outweigh the evil which it is likely to occasion. Moreover, no more violence may be used than is necessary to vindicate the right, and it must be directed only against unjust and violent aggressors. In pointing out that A.B.C. warfare can seldom be morally lawful, the Holy Father

is not therefore enunciating a new principle: he is merely underlining the fact that, in practice, such warfare is more than ever unlikely to respect the conditions of the moral law.

#### EVENING COMMUNION FOR BED-FAST HOSPITAL PATIENTS

When evening Mass is said in a hospital chapel, may Holy Communion be given, immediately before or after the Mass, to patients who are confined to bed but not dangerously ill, provided merely that they have observed the fasting rules prescribed by *Christus Dominus* for those who communicate at an evening Mass? (J. C.)

#### REPLY

*Instructio S. Officii*, 6 January 1953, n. 13: "Sacerdotes, qui pomeridianis horis Missam celebrant, itemque fideles qui in eadem sacram communionem recipiunt, possunt *inter refectiorem*, permissam usque ad tres horas ante Missae vel communionis initium, sumere *congrua moderatione* alcoholicas quoque potiones inter mensam suetas (v.gr. vinum, cerevisiam, etc.), exclusis quidem liquoribus. Quoad potus autem, quos sumere possunt ante vel post dictam refectiorem, excluditur omne alcoholicorum genus."

Ibidem, n. 15: "Fideles, quamvis non sint de eorum numero, pro quibus Missa vespertina forte instituta sit, ad sacram Synaxim libere accedere possunt, *infra dictam Missam* vel *proxime ante et statim post* (cf. can. 846, §1), servatis, quod attinet ad ieiunium eucharisticum, normis supra relatis."

Canon 846, §1: "Quilibet sacerdos intra Missam et, si privatim celebrat, etiam proxime ante et statim post, sacram communionem ministrare potest, salvo praescripto can. 869."

There is no particular difficulty regarding patients who have taken nothing but medicine and liquid nourishment since the previous midnight. By virtue of norm II of *Christus Dominus*, they may lawfully communicate in the evening, with the advice of a confessor, even independently of the celebration of Mass,

provided there is a reasonable cause for their doing so at this less usual hour (canon 867, §4). If, on the other hand, as the question supposes, they wish to take advantage of the more generous concession of norm VI regarding solid food, they must, since they are not in danger of death, comply with the terms of n. 15 of the Holy Office Instruction.

Now, it is clearly indicated by these terms that the Communion must have an immediate connexion, at least of time, with the evening Mass, and the only room for doubt is as to whether the connexion must not only be one of time but also of place. Taken in their strictest sense, they would seem to require a local connexion, i.e. that the Communion be received in the place where the Mass is celebrated, because the words "proxime ante et statim post", as used in canon 846, §1, which the Instruction here quotes, are commonly understood to refer to distribution of Communion by a celebrant who has arrived at the altar, vested for Mass, or who, having completed the Sacrifice, has not yet unvested.<sup>1</sup> But though *Christus Dominus* forbids extensive interpretations which go beyond the proper meaning of the words,<sup>2</sup> it does not necessarily require the words to be interpreted always in their strictest sense. Some account must be taken of the purpose of the law, which was precisely to meet the need of those who, like these hospital patients, have limited opportunities of communicating at the normal time and place. Neither *Christus Dominus* nor the Holy Office Instruction requires the communicant to be present at the evening Mass.<sup>3</sup> Moreover, the Instruction does not say "salvo praescripto can. 846, §1": it merely quotes the canon as an illustration of the principle involved, namely that permission to celebrate a private Mass carries with it permission to distribute Communion immediately before and after it, without the need of getting special leave from the rector of the church. We need not therefore take it as our only yardstick in measuring the extent of the fasting concession made by the new law to evening communicants. The celebrant of an evening Mass, in a hospital, who takes Communion, just before vesting or immediately after unvesting,

<sup>1</sup> Cappello, *De Sacramentis*, I, n. 324.

<sup>2</sup> "Locorum tamen Ordinarii diligenter curent ut quaelibet vitetur interpretatio, quae concessas facultates amplifcet."

<sup>3</sup> Castellano, *Monitor Ecclesiasticus*, 1954, p. 49.



to patients who are confined to their beds, can, without departing from the proper meaning of the words, be said to administer the sacrament "proxime ante vel statim post Missam".

We consider it probable, therefore, that such communicants can be included under the terms of n. 15 of the Instruction and benefit by the concession which it makes in regard to solid food. Father Connell, C.S.S.R., the only commentator who, to our knowledge, has dealt with this particular question, reaches the same conclusion.<sup>1</sup> Indeed, with the advice of a confessor, they can presumably make use also of norm II which allows invalids to take medicine and liquid nourishment right up to the time of receiving Communion.<sup>2</sup>

#### EVENING COMMUNION RECEIVED INDEPENDENTLY OF MASS

The late Canon Mahoney, in *Questions and Answers, The Sacraments*, n. 151, p. 181, states that "the fasting law (before Communion) is quite distinct from the law which permits Holy Communion normally to be distributed only during those hours in which Mass may be said". Now, the latter law admits of exceptions for a reasonable cause (canon 867, §4), and such a cause would exist in the case of a devout worker unable to attend morning Mass on either Sundays or weekdays. Before *Christus Dominus*, such a person might have obtained an indult allowing him to communicate in the afternoon or evening after a fast of only three hours. May he do so nowadays only when and where an evening Mass happens to coincide with his evening off? (Monachus.)

#### REPLY

*Christus Dominus*, norm VI: "... In his autem Missis christifideles ad sacram Synaxim accedere possunt, hac eadem servata norma ad ieiunium eucharisticum quod attinet. ..."

Holy Office Instruction, 6 January 1953, n. 15: "Fideles,

<sup>1</sup> *The American Ecclesiastical Review*, December 1953, p. 400.

<sup>2</sup> Mahoney, *THE CLERGY REVIEW*, March 1953, p. 161.



quamvis non sint de eorum numero, pro quibus Missa vespertina forte instituta sit, ad sacram Synaxim libere accedere possunt, *infra dictam Missam vel proxime ante et statim post* (cfr. canon 846, §1), servatis, quod attinet ad ieiunium eucharisticum, normis supra relatis."

Canon 846, §1: "Quilibet sacerdos intra Missam et, si privatim celebrat, etiam proxime ante et statim post, sacram communionem ministrare potest, salvo praescripto can. 869."

Canon 869: "Sacra communio distribui potest ubicunque Missam celebrare licet. . . ."

Canon 867, §4: "Sacra communio iis tantum horis distribuatur, quibus Missae sacrificium offerri potest, nisi aliud rationabilis causa suadeat."

A few authors who would seem to be as elusive as Spenlow's "Mr Jorkins" (they are quoted by Hürth and Castellano simply as "quidam"<sup>1</sup>) have apparently suggested that the faithful may communicate in the evening, availing themselves of the new fasting discipline of evening Mass, even in churches where Mass is not being said. Their argument, according to Castellano, runs as follows: (a) Canon 869, to which we are indirectly referred through the quotation of canon 846, §1, in n. 15 of the Instruction, allows Communion to be distributed wherever Mass may lawfully be said; therefore evening Communion can be distributed wherever evening Mass could be said, independently of whether it is actually being said. (b) According to canon 846, §2, "any priest enjoys the same faculty (i.e. to distribute Holy Communion) even outside Mass, provided that, if he be an extern, he has at least the presumed leave of the rector of the church"; therefore any priest can give evening Communion independently of evening Mass. (c) Canon 867, §4, allows Holy Communion to be distributed during the hours in which Mass may be said; provided, therefore, that evening Mass has been authorized, Holy Communion can be distributed during the same period.

All the commentaries dealing with this point which we have been able to consult agree in rejecting this conclusion.<sup>2</sup> The

<sup>1</sup> Hürth, *Periodica*, 15 March 1953, p. 80; Castellano, *Monitor Ecclesiasticus*, 1954, fasc. 1, p. 48.

<sup>2</sup> Hürth, loc. cit.; Castellano, loc. cit.; Mahoney, *THE CLERGY REVIEW*, July 1953, p. 426; Ford, *The New Eucharistic Legislation*, p. 111 (quoting also Creusen); Bride, *L'Ami du Clergé*, 26 March 1953, p. 207.

intrinsic weakness of the argument lies precisely in its failure to observe the distinction made by Canon Mahoney in the passage quoted by our questioner. The new law which allows the faithful, in certain carefully defined circumstances, to communicate after having taken solid food, has indeed an indirect connexion with the canons which regulate the time and place of Holy Communion, inasmuch as it links the fasting concession to the new institution of evening Mass; but primarily and directly it is a fasting law, quite distinct from the rules of time and place under the normal fasting discipline. It is true that n. 15 of the Instruction refers us to canon 846, §1, but merely as the source of the italicized phrase and its underlying principle. Moreover, it is a mere quotation, not an injunction to observe the ruling of canon 846, §1; hence it cannot be interpreted as incorporating the subsidiary principle of canon 869 into the discipline of evening Communion.<sup>1</sup>

We must therefore interpret the new law simply according to its own terms, and not according to those of canons which govern the time and place of Communion in general. Examined in this light, the argument in favour of evening Communion, under the new rules, but independently of evening Mass, collapses altogether. *Christus Dominus* limits the fasting concession to Communions received "in his Missis", and the Instruction interprets this as meaning "infra dictam Missam vel proxime ante et statim post". Both documents, therefore, clearly suppose a connexion of time and place with an authorized evening Mass, actually celebrated. Any other interpretation would involve an extensive interpretation of the kind which both documents expressly forbid. Moreover, if the legislator had meant the fasting concession to apply to Communion received quite independently of Mass, he would surely have added "salvo praescripto can. 846" and thereby have incorporated into the new law the second paragraph of that canon, which deals with the reception of Communion outside of Mass. Instead, he merely quoted from the first paragraph.

<sup>1</sup> As Hürth points out (loc. cit., p. 81), the same canons could be juggled to prove that Holy Communion may be distributed on Holy Thursday and Saturday, even in churches where Mass is not said, as long as it is being celebrated liturgically somewhere else at the time; and the conclusion would be invalid for the same reason.

We cannot therefore see any intrinsic probability in the opinion which favours independent evening Communion, nor, as far as we know, is the authority of the "quidam", who are said to support it, such as to give it extrinsic probability. The communicant need not assist at the evening Mass, but there must be a Mass. It should be noted, however, that the new law does not affect the exception made in canon 867, §4, which allows Holy Communion outside the hours of Mass for a reasonable cause. But, if advantage be taken of it, the communicant must observe the normal fast; he may claim the concession made in regard to liquid nourishment for those who communicate "at later hours", but not that which allows solid food up to three hours before a Communion received "during or immediately before or after" an evening Mass.

L. L. McR.

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ROMAN DOCUMENTS

NEW INDULGENCES FOR FAMILY ROSARY

SACRA PAENITENTIARIA APOSTOLICA

(OFFICIUM DE INDULGENTIIS)

DECRETUM

RECITATIO IN FAMILIA BEATAE MARIAE VIRGINIS ROSARII NOVIS INDULGENTIIS DITATUR (*A.A.S.*, 1954, XLVI, p. 552).

Scimus D. N. Pius Divina Providentia Pp. XII, in Audientia ab infra scripto Cardinali Paenitentiario Maiore die 11 Octobris 1954 habita, preces quorundam Sacrorum Antistitum libenter excipiens, "ut domesticus convictus inviolata fide eniteat" (*Litt. Encycl. Fulgens Corona*), praeter iam elargitam partialem decem annorum Indulgentiam semel quovis die necnon plenariam bis in mense acquirendam pro Beatae Mariae Virginis Rosarii in familia recitatione (*Enchiridion Indulgentiarum*, ed. 1952, n. 395 b), benigne concedere dignatus est in fidelium favorem, qui tertiam Beatae Mariae Virginis

Rosarii partem in familia per hebdomadam quotidie recitaverint, Indulgentiam plenariam lucranda quolibet sabbato et praeterea duobus aliis diebus in hebdomada, ac insuper in singulis eiusdem Deiparae Virginis festis quae in calendario universali reperiuntur (Immaculae Conceptionis, Purificationis, Apparitionis B. M. V. Lapurdensis, Annuntiationis, Septem Dolorum (feria VI post Dominicam Passionis), Visitationis, B. M. V. de Monte Carmelo, B. M. V. ad Nives, Assumptionis, eiusdem B. M. V. Immaculati Cordis, Nativitatis, SS. Nominis, Septem Dolorum (15 Septembris), B. M. V. a Mercede, SS. Rosarii, Maternitatis, Praesentationis), dummodo rite confessi Eucharisticam Mensam participaverint. Contrariis quibuslibet minime obstantibus.

Datum Romae, ex Aedibus Sacrae Paenitentiariae Apostolicae, die 11 Octobris, in festo Maternitatis Beatae Mariae Virginis, 1954.

N. Card. CANALI, *Paenitentiaris Maior*

S. Luzio, *Regens*

## RULES AND FACULTIES FOR SHIPS' CHAPLAINS

### SACRA CONGREGATIO CONSISTORIALIS

#### NORMAE ET FACULTATES

PRO SACERDOTIBUS IN SPIRITUALEM NAVIGANTIAM CURAM INCUMBENTIBUS NEMPE PRO CAPPELLANIS NAVIGANTIAM ET CAPPELLANORUM DIRECTORIBUS IUSSU SANCTISSIMI DOMINI NOSTRI PII DIVINA PROVIDENTIA PAPAE DUODECIMI EDITAE (A.A.S., 1954, XLVI, p. 415).

#### I

1. Legitime assumpti in officium Cappellani navigantium vel Directoris Cappellanorum illi sacerdotes censentur, qui adamussim servatis normis, quae in Constitutione Apostolica *Exsul Familia* (A.A.S., a. 1952, pag. 649; THE CLERGY REVIEW, 1953, XXXVIII, pp. 45-7), Titulo altero, art. 5 praescribuntur, peculiari obtento a Sacra Congregatione Consistoriali Rescripto, adprobati et nominati sunt.

2. Delegatus ad opera de emigratione qui Cappellanis navigantium sive saecularibus sive regularibus eorumque Directoribus praeest, eos omnes moderatur illisque invigilat, Cappellanos vero ad navem mittit hosque, potissimum per Directorem, sedulo iuvat.

3. Sacerdotibus Cappellanis navigantium et Directoribus Cap-

pellanorum eorumdem sacrum esto religiose servare ea omnia, quae de Cappellanis navigantium eorumque Directoribus praecipiuntur in praedicta Constitutione Apostolica (l. c., c. III).

4. Ut Sanctissima Eucharistia in navis oratorio legitime erecto (ibidem, art. 30) custodiri possit, necessarium est indultum apostolicum a Sacra Congregatione Consistoriali obtinendum.

Huiusmodi autem recursus a Directore Cappellanorum navigantium faciendus est, addito de observantia legum liturgicarum testimonio Ordinarii loci, cui spectat erigere et benedicere oratorium in navi.

5. In sacris peragendis et in divino Officio recitando, itinere maritimo perdurante, Sacerdotes in navi versantes uti possunt calendario Ecclesiae universalis.

6. In Canone Missae, itinere maritimo perdurante, exprimitur nomen Papae, reticita cuiuslibet Antistitis memoria.

7. De baptizatorum, confirmatorum et mortuorum (l. c., art. 25 §3) libris custodiendis et de authentico eorumdem exemplari ad Curiam transmittendo, S. C. Consistorialis statuit:

1° ut authenticum exemplar librorum baptizatorum, confirmatorum et mortuorum a Cappellanis navigantium conscriptorum, ad Curiam transmittatur dioecesis in qua Directoris officium est constitutum;

2° ut unius Directoris sit huiusmodi exemplaria a se exarata ad Curiam transmittere;

3° ut eiusdem Directoris sit de numero eorum, qui a Cappellanis navigantium confirmati sunt, vigore facultatis de qua infra sub n. 8, 1°, et de ratione ab iisdem tanquam ministris extraordinariis in munere perfungendo adhibita, quolibet anno, sub initio anni proxime insequentis, ad Sacram Congregationem Consistorialem et ad Ordinarium memoratae dioecesis mittere relationem;

4° ut adamussim servatis hac de re sacrorum canonum normis, de actis in libris conscriptis quamprimum etiam parochus domicilii eorum de quibus in libris agitur a Directore certior fiat;

5° ut Director Cappellanorum suo utatur sigillo, habeatque tabularium seu archivum in quo memorati libri custodiantur una cum S. Congregationis Consistorialis et Episcoporum epistolis aliisque documentis, necessitatis vel utilitatis causa, servandis;

6° ut unius Directoris sit litteras testimoniales, iis, quorum interest, dare.

## II

8. Cappellanis navigantium eorumque Directoribus, quae infra recensentur facultates seu privilegia, *durante munere* tribuuntur.

1° Facultas administrandi, ad normam Decreti Sacrae Congregationis de disciplina Sacramentorum *Spiritus Sancti munera* (A.A.S., XXXVIII, p. 349 ss.) sacramentum Confirmationis cuilibet christifideli in navi versanti ex gravi morbo in mortis periculo constituto.

2° Facultas administrandi sacramentum Confirmationis, itinere maritimo perdurante, cuilibet puero vel adulto, praesertim primum in ipsa navi sacra Synaxi refecto; dummodo nullus adsit Episcopus communione gaudens cum Apostolica Sede, et praevideatur confirmandum vel aetate vel inscitia sermonis vel loci adiunctis nonnisi magna cum difficultate in regione immigrationis hoc Sacramentum recepturum, ceterisque servatis de iure servandis ac potissimum, quod attinet ad ritum, Instructione pro simplici sacerdote sacramentum Confirmationis ex Sedis Apostolicae delegatione administrante in Appendice Ritualis Romani inserta.

3° Privilegium altaris portatilis dummodo Missa celebrari debeat in commodum fidelium in navi versantium, iis cautis tamen sartisque quae hac de re habentur in Constitutione Apostolica *Exsul Familia* et praesertim Titulo altero, art. 28.

4° Facultas celebrandi Sacrificium Missae in navibus, etsi oratorio legitime erecto careant, nocte Nativitatis Domini dummodo celebrationi Missae praemittantur sacrae supplicationes per spatium saltem dimidiae horae et initium Missae ne fiat ante dimidiam horam post mediam noctem, remoto semper quocumque irreverentiae periculo aliisque servatis de iure servandis.

5° Facultas celebrandi Missam in navibus, etsi oratorio legitime erecto careant, nocte quae intercedit inter diem xxxi decembris et i insequentis ianuarii, quolibet anno, cum facultate Missam inchoandi ipsa media nocte, dummodo sacrae supplicationes perdurent spatio circiter duarum horarum, in hoc comprehenso celebrationis Missae tempore, remoto semper quocumque irreverentiae periculo aliisque servatis de iure servandis.

6° Privilegium celebrandi unam Missam feria V Maioris Hebdomadae.

7° Facultas bis vel ter litandi diebus dominicis et festis de praecepto necnon feriatibus in commodum christifidelium in navi versantium quoties necessitas urgeat consulendi eorum bono spirituali per Missae celebrationem.

8° Quoad celebrationem Missae horis vespertinis seu de sero standum est Decreto Sacrae Congregationis S. Officii diei xxxi maii a. 1953 (A.A.S., XLV, p. 426).

9° Facultas absolvendi, itinere maritimo perdurante, poenitentes quoslibet a censura quam ad tramitem can. 2350 §1 C. I. C. abortum procurantes incurrunt, servatis de iure servandis.

10° Facultas absolvendi, maritimo itinere perdurante, servatis de iure servandis necnon ceteris quae a Sacra Poenitentiaria huiusmodi in adiunctis imponi solent, et in casibus in quibus, iuxta normas in Codice Iuris Canonici can. 2314 §2 statutas, Ordinarius ipse absolvere posset, quoslibet poenitentes, quavis ratione in navi versantes, a censuris et poenis quibus detinentur ob apostasiam, haeresim vel schisma, exceptis tamen haereticis haereses inter fideles e proposito disseminantibus, tam nemine audiente vel advertente quam coram aliis externatas, eorumque abiurationem, iuridice peractam, recipiendi.

11° Facultas benedicendi sacerdotalia indumenta, mappas et tobaleas seu linteamina altaris, corporalia, tabernacula seu vascula pro sacrosancta Eucharistia conservanda et cetera quae ad divinum cultum inserviunt.

12° Facultas benedicendi, ritibus tamen ab Ecclesia praescriptis, cum omnibus indulgentiis a S. Sede concedi solitis, rosaria, cruces, parvas statuas et numismata; adnectendi insuper coronis indulgentias a S. Birgitta et a Patribus Crucigeris nuncupatas.

### III

9. Licet maritimis per integrum anni tempus praecepto paschalis communionis satisfacere.

10. Christifideles in navibus versantes, dummodo confessi ac sacra Synaxi refecti, Indulgentiam plenariam die 11 augusti, toties consequi valent quoties Oratorium in navi legitime extans, ubi sanctissima Eucharistia ex apostolico indulto custoditur, pie visitaverint ibique sex *Pater*, *Ave* et *Gloria* ad Summi Pontificis mentem in unaquaque visitatione devote recitaverint.

11. Iidem christifideles, iisdemque condicionibus, Indulgentiam plenariam pro defunctis applicandam die 11 novembris, toties consequi valent quoties praedictum Oratorium pie visitaverint ibique sex *Pater*, *Ave* et *Gloria* ad Summi Pontificis mentem in unaquaque visitatione devote recitaverint.

Datum Romae, ex Aedibus Sacrae Congregationis Consistorialis, die XIX mensis Martii anno Mariali MCMLIV, in festo S. Ioseph Sponsi B. Mariae Virginis.

✠ Fr. A. I. Card. PIAZZA, Ep. Sabinen. et Mandelen., a Secretis

Iosephus Ferretto, Adessor



## BOOK REVIEWS

*Some Main Problems of Philosophy.* By Dr G. E. Moore, O.M. Pp. xii, 380. (George Allen & Unwin. 1953. 25s. net)

DR GEORGE MOORE, who is, I think, only the second British philosopher to receive the high distinction of the Order of Merit, has exercised a significant and lasting influence upon British thought during the past half century: and this in spite of the fact that he has published relatively little. Russell, Broad and Whitehead have all testified to his share in their philosophical development and he is still regarded as the pioneer in the return to an outlook of Realism at the beginning of the century, in reaction against the Idealism of men like Bradley, Green, McTaggart and the Cairds, whose influence was paramount till then at Oxford and in the Scottish universities. But Moore differs in one important respect from many of the thinkers he has influenced, in that his approach to philosophy was not, as was theirs, through mathematics but by the road of the humanities.

*Some Problems of Philosophy*, recently published, contains the text of twenty lectures that Dr Moore delivered to the Morley Institute in London in 1910-11. He must have hesitated for long before he agreed to their publication, for one suspects that he is as hesitant to take a decision of this kind as he is to commit himself to a definite philosophical answer. Dr Moore's *forte* as a thinker has always been in his objective approach to problems, and his ability to see its many elements and facets. With a keen, analytical mind, he can delve to the heart of a philosophical question or, perhaps more accurately, he is so skilled in dissecting and separating its many layers that he often does not quite reach its heart. He is the perfect questioner. In his *Principia Ethica*, he stated: "I have endeavoured rather to show exactly what is the meaning of the question and what difficulties must consequently be faced in answering it, than to prove that any particular answers are true." And it is his opinion that the difficulties and disagreements found notoriously among philosophers are mainly due to one simple cause: the attempt to answer questions before discovering precisely what question it is you wish to answer. In this, of course, there is a deal of truth, and Socrates enunciated it in the dawn of Western thinking. Dr Moore might not inaptly be termed a modern Socrates.

These twenty lectures deal largely with themes from the theory of knowledge and the study of how the mind of man actually functions. The various headings reveal their contents. Among them are:

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"Sense-Data", "Propositions", "Ways of Knowing", "Hume's Theory" and "Hume's Theory Examined", "Material Things", "Existence in Space" and "Existence in Time", "The Meaning of Real", "Beliefs and Propositions", "True and False Beliefs", "Being, Fact and Existence" and "Truths and Universals".

Dr Moore emphasizes the reality of material objects. His position is Realist, in the epistemological sense: a position that he made classic in his essay in *Mind* in 1903, *The Refutation of Idealism*, in which he demolished the subjective theory of knowledge of Berkeley. *Esse*, he asserted, is not *percipi*, as Berkeley and the Idealists had maintained. *Esse* is independent of *percipi*. Perception takes place immediately by a direct apprehension of the objectively real, not by the mediation of psychic images which represent the "thing" in the mind.

But, so subtle is his approach, so natural his talent for analysis and dissection, that we soon find him toning down this Realist attitude. What we apprehend, in his opinion, are not the objects themselves but sense-data or shadowy aspects of objects, and from these we form conclusions as to what the whole thing or the real objects must be. All perceptual judgements, for him, contain much more than the purely sense-given object; they include also a disclosure of what is not so given. In one way, the more that he reflects upon these sense-data, the more problematic do they appear to him. And, like Edmund Husserl, he begins with a position of Realism only to end in what looks very like phenomenism, indeed not unlike the traditional phenomenism of the men whose position he originally challenged, Locke and Berkeley.

What would be made of these lectures by someone with no previous contact with philosophy, I find it difficult to say. To the student they are a lucid and valuable introduction to the main problems of traditional thought. Dr Moore writes clearly and with the modest objectivity of a genuine thinker.

*Fundamentaltheologie*. By Albert Lang. (1). Vol. I. *Die Sendung Christi*. Pp. xii + 264. Price: DM.7.80 (paper), 12.80 (linen). (2). Vol. II. *Der Auftrag der Kirche*. Pp. xvi + 334. Price: DM.8.80 (paper), 10.80 (linen). (Published by the Max Hueber Verlag, Munich. 1954.)

PROFESSOR ALBERT LANG, the author of this new and ample treatise of Fundamental Theology, claims that a new Christian Apologetics was sorely needed in post-war Germany, where most of the pre-war works on this important subject were no longer available. This has given him the opportunity of reconsidering some of the older

methods of presentation, and he has put forward the major apologetical arguments in a clearer form. Smaller questions are dealt with cursorily or even omitted.

A little experience in instruction and discussion soon teaches us that the value of an argument is found not only in its logical consistency but also—and on occasions more effectively—in its power of psychological penetration. It is not so much the force of the argument that convinces as the way in which it may come home to the listener. Professor Lang stresses the need in modern Apologetics of studying the background and mood of the listener and of taking into serious account those qualities in the modern mind which dispose a man to religious thinking: among them, the craving for knowledge and security in a troubled world, a certain instinct of wholeheartedness, the desire of a personal approach to God. Traditional Apologetics, he would argue, have concentrated too much on logical content and too little upon psychological presentation. The task of modern Apologetics is not only to present the faith as in harmony with reason, with historical evidence and moral obligation; it must also prepare the grounds for belief in the listener or reader; it must act upon his feelings and will as well as upon and through his mind. Apologetics that are too intellectualist could easily defeat their own purpose, for the religious question is one, in the last resort, not of knowledge but of personal salvation.

This does not mean that the author proposes a new kind of Apologetics. So far as his material is in question, he is quite properly orthodox. The main difference between his two volumes and more familiar manuals lies in the space allotted to various sections.

Three fifths of the first volume is devoted to revelation. Can there be—must there not be—and is there a definite supernatural revelation on God's part through Jesus Christ? This is the crucial question. Admitting two lines of approach, in one or two stages, he follows the longer method, beginning with the study of Christ. He does not himself like the term *Apologetics* because of its negative and defensive implications. He would prefer Fundamental Theology, which is fundamental, in his judgement, not because it can justify the *principia ex quibus* of theology but because it shows the reality of the motives for belief as *principio mediante quo*. The criteria of a true Apologetics are studied and emphasized: the positive as also the negative, the intrinsic and the external.

The treatment of the *fact* of revelation opens with a chapter on the unique character of Jewish religious experience. It then considers the mission and teaching of St Paul, answering the Rationalist and Liberal theories of Paul's influence on the original Gospel doc-

trines. The early Christian Church is then considered historically in the *Acts*. The argument proceeds to the study of Christ's consciousness of His mission: as Messiah, as Son of Man, as the Son of God with a special and unique relationship with the Father. And it concludes with arguments drawn from the intellectual stature and moral splendour of the Saviour and with the proof from Gospel miracles, particularly from the Resurrection.

Volume II turns from the *demonstratio Christiana* to the *demonstratio catholica*. The Christ problem becomes the problem of the Church. Again, two methods are proposed. The first, from the reality of the Church itself, which is a proof of its divine origin and purpose. It is the argument canonized in an ecclesiastical document, which speaks of the Church as *perpetuum motivum credibilitatis et divinae suae legationis testimonium irrefragabile* (Denz, 1794). The second, which the author pursues, from the intention of Christ to its fulfilment. After a section on the Kingdom of God, that Christ proclaimed, certain texts are thoroughly examined: the command to teach all nations (Matt. xxviii, 18), the promise of primacy (Matt. xvi, 17-9), the conference of supreme authority (Luke xxii, 31, and John xxi, 15-17). The apostolic office is seen continuing in the infant Church (*Acts*).

The Church of the first five centuries is then considered in its continuity with the Church of the apostles, in structure and organization. Peter is established in Rome: his successors are acknowledged as heads of the Church: the Church is hierarchical and monarchic.

A final section studies with great care the authority within the Church: authority of bishops and of the Papacy: and the direct and indirect objects of infallibility.

These two volumes have been planned with great care and attention to their general line of development as also with regard to detail. The arrangement is excellent and orderly; the language clear and succinct. A most valuable element is the list of references to modern books and still more to articles in theological and other reviews at the head of many sections and chapters. I do not suppose they would repay translation into English, for they are text books, not works for straightforward reading, but none the less they deserve a warm commendation. Professors and others who lecture on theology and Apologetics will find them a real boon.

J. M.

*Invalidity of Dispensations according to Canon 84, §1.* By Stanislaus J. Kubik, S.T.D., J.C.L. Pp. viii + 108. (The Catholic University of America, Canon Law Studies, n. 340.)

*The Betrothal Contract in the Code of Canon Law.* By the Rev. Chester F. Wrzaszczak, A.B., S.T.L., J.C.L. Pp. xii + 253. (Canon Law Studies, n. 326.)

*The Obligation of Respect and Obedience of Clerics Toward their Ordinary.* By the Rev. Joseph G. Sheehan, J.C.L. Pp. x + 132. (Canon Law Studies, n. 344.)

*The Paris Census and the Liber Status Animarum.* By the Rev. William Francis Fitzgerald, A.B., S.T.L., J.C.L. Pp. vi + 111. (Canon Law Studies, n. 339.)

*The Secret Archives of the Diocesan Curia.* By the Rev. Charles A. Kekumano, A.B., J.C.L. Pp. viii + 98. (Canon Law Studies, n. 350.)

(Doctoral Dissertations. The Catholic University of America Press. \$2.00 each, paper bound.)

WHEN an Ordinary dispenses from a law of the universal Church, e.g. a matrimonial impediment, he needs, in addition to the requisite faculty, a just and reasonable cause proportionate to the gravity of the law; otherwise his dispensation is not only unlawful but invalid, and if the impediment is major and diriment, the subsequent marriage will also be invalid. This principle of canon 84, which should often give food for thought to the Clergy on whom the Ordinary depends for his motivating causes, provides Father Kubik with an interesting subject for a dissertation, in which he traces the history of the canon and elucidates its content. In particular, he deals with the problem raised when the motivating cause, though advanced in good faith, is actually non-existent. He concludes in favour of the stricter opinion that good faith is no substitute for a real cause, and that the validity of the dispensation cannot be saved even by an appeal to canon 15 or canon 209, neither of which, he argues, is relevant to the issue. The subject is adequately handled, but there are several faults of syntax, and St Alphonsus is quoted on page 82 as St Adolphus.

Father Wrzaszczak deals with the more speculative question of canonical betrothal, an institution which appears to have largely fallen into disuse, but which, he suggests, might well be revived as a curb on hasty marriages and as a quasi-sacramental preparation for the obligations of the married state. Undismayed by the practical difficulty of such a reversal of the modern trend, he has tackled his

subject on as full a scale as we have yet encountered. After tracing the origin of the institution in Roman, Germanic and Hebrew law, he follows its development through mediaeval canon law and the Tridentine legislation down to *Ne Temere* and canon 1017, and then devotes a further 150 pages to the elucidation of the modern law. His historical survey has more than merely academic interest, because it was by working out the distinction between betrothal and marriage, which for a long time tended to be confused, that canonists eventually evolved an agreed concept of what makes marriage. His canonical commentary is thorough and gives a reasoned answer to every question that is likely to worry the clergy, should formal betrothal return once again to favour. The bibliography of articles is somewhat brief and does not mention, for example, those of Andrien-Guitrancourt or Kurtscheid in *Apollinaris*, 1936, p. 219; 1938, p. 36; but the work as a whole is a very creditable piece of research and reasoning.

Father Sheehan's dissertation on the duty of clerics to respect and obey their Ordinary is more of a compilation than a treatise. He has collected all the material necessary for a brief history of the law contained in canon 127 and for a commentary on its present meaning and application, but he has not sufficiently collated and digested it. Moreover, some of the writing is very slipshod, e.g.: "Usually a Bishop ordains his own subjects, intending him for the service of another diocese by agreement with the Bishop of that diocese, the candidate is immediately incardinated in the other diocese" (p. 62); and there is a line missing on page 109.

Essentially practical and pastoral institutions such as the parish census and *liber status animarum*, which involve little or no juridical complexity, may seem to provide poor material for a doctoral dissertation, and indeed a great deal of Father Fitzgerald's dissertation is pure pastoral theology. Nevertheless, by approaching the subject and handling the material in scholarly fashion, he has proved his ability to deal, in due course, with more recondite and abstruse problems of law. After tracing the history of the *liber status animarum* from its germ in the diptychs of the early Church, through the mediaeval lists of parishioners who had made their Easter Duty, down to the detailed modern law prescribed for the first time in the Roman Ritual of 1614, he studies, from both the canonical and pastoral point of view, the material and the persons to be recorded in the register, as well as the obligation and method of making the census and keeping the register. The whole treatise is clearly planned and fully documented; and though some of its more detailed suggestions may make short-handed parish priests wonder what they are

supposed to use for time, it can be read with profit by any priest charged with the care of souls. The printing is somewhat below standard and there are a few misprints.

The Code of Canon Law lays down very precise rules about the secret curial archives in which certain kinds of confidential documents and registers are to be safely housed (canons 379-382); but, perhaps because of this very element of hush-hush, many commentators do little more than assume that they exist, and not a few pastors tend even to forget that they do (or should) exist. Since they fulfil an essential function and can, if properly kept and used, save a great deal of unnecessary trouble, Father Kekumano does a useful service in turning on to them the light of his diligent research. The historical section of his treatise is deliberately sparse, because, although there is evidence that the Church has always kept archives, the modern law regarding the secret archives had no specific precedents before the eighteenth century. But the unusually detailed manner in which the whole affair is nowadays regulated leaves no doubt about the gravity of the modern law, and therefore Father Kekumano rightly devotes the greater part of his treatise to an even more detailed commentary, in which the erection, contents, custody, use and abuse of the secret archives are all thoroughly studied. His points are well argued and, in the main, fully documented, though we noted one statement about regulars, on page 46, which should have been supported by a reference.

*Black Popes : Authority, its Use and Abuse.* By Archbishop Roberts, S.J.  
Pp. xi + 139. (Longmans, Green & Co. 8s. 6d.)

THIS book says many things which probably needed to be said, but which could only be said without temerity by one who, like the author, has exercised public power and then relinquished it. Its theme is that power connotes responsibility, that authority must not only be asserted but commended to those over whom it is exercised, and that it cannot be so commended unless it is wielded by superiors who model themselves on the one God and Father of all, from whom all power and authority are derived. Those who hold God's warrant should therefore expect from their subjects not the blind obedience of slaves, but the loving and reasoning obedience of sons who, whether clerical or lay, are not afraid to express their views and can be sure of being heard with respect. Abundant examples, drawn from past history and the author's own wide experience, are adduced to show that, in the Church no less than in political and industrial life, this paternal ideal has seldom been fully realized, or at least seldom as perfectly as in the system devised by St Ignatius for the Society of Jesus.

The argument of the book is somewhat disjointed and digressive. It gives the impression of having been written round a series of chapter headings, with no detailed plan to control its gradual working out. At the same time, it is punctuated constantly by forceful remarks which, even though one cannot always easily detect their immediate relevance, nevertheless compel the reader to think and think again. That perhaps was His Grace's main object in writing a book of this kind.

L. L. McR.

*St Pius X and Social Worship, 1903-1953.* National Liturgical Week, Grand Rapids, Michigan, 1953. Pp. 199. (The Liturgical Conference, Elsberry, Missouri. \$2, postage 12c.)

THE Liturgical Conference of the United States of America sponsors each year a Liturgical Week, when priests, religious and lay persons, at the invitation of the bishop of the diocese where the week is held and of an organizing committee, assemble for a period of liturgical activity. Liturgical functions are carried out in proper style, and addresses are given by experts followed by free discussion on the subject treated. The purpose of the Conference is to promote the liturgical apostolate (a better name even than the "liturgical movement"). These meetings have been held at various centres in the U.S.A. for many years past, and the Liturgical Conference has published the proceedings, making the valuable papers read and discussed available to the public the world over. It is a remarkable fact that, while many of the meetings took place before the teaching of the Church embodied in the encyclicals *Mystici Corporis* (1943), *Mediator Dei* (1947), and other modern pronouncements of Pius XII, none of the papers read at them had ever to be withdrawn (p. 175).

Among the results of the liturgical apostolate in America is "the widespread dawning of the knowledge that the sacred liturgy does not mean rubrics, ceremonies and arty display" (p. 175), while "a tremendous spur has been given to the younger priests, the sisters and the seminarians . . . and the laity have been awakened, by the voice of the Sovereign Pontiff, to a thirsting for the participation which he says should be theirs" (ib.).

As 1953 was the fiftieth anniversary of the beginning of the pontificate of St Pius X, the congress at Grand Rapids, Michigan, was devoted to his liturgical activities, and the Proceedings have just been published shortly after the canonization of that great Pope of the Liturgy.

The papers read at Grand Rapids cover an extensive field and are almost all of a high standard of excellence. The general topic is



social worship and the attempts that are being made—so energetically and with no small success in the U.S.A.—under the guidance of St Pius, to bring about and forward in every way possible the active participation of the people in public worship (especially in the Mass), to change them from passive hearers into active sharers in the Sacred Liturgy.

One of the most outstanding figures in the promotion of the liturgical apostolate in the U.S.A. is Monsignor Martin Hellriegel of St Louis. For many years he has not only talked about the Liturgy, he has carried it out in the most thorough fashion in his parish. He contributes two attractive homilies: "Why Song Surpasses Silence at Mass" (p. 26), and one on St Pius X (p. 192) at the Pontifical Mass on the last day of the congress. His also is a résumé of the rite of the Mass remarkable for its excellence. Speaking after long experience he wisely observes that in many city parishes there are "too many Masses . . . Masses on the hour, by the hour" (p. 28). He might have said, were he speaking of Europe: "Masses on the half-hour, by the half-hour", with no time to carry out the Liturgy properly, with due explanation to the people, and full participation by them.

Father Conley contributes a very practical paper—with many useful directives—on congregational singing, while Father Ginde writes well on hymns, good and bad. Father Clifford Howell, S.J., gives an excellent conference on the nature of the Mass and of social worship as learned from the encyclicals *Mystici Corporis* and *Mediator Dei*.

That stalwart and plainspoken upholder of the liturgical cause, Father Reinhold, has a thoughtful paper on the liturgical aspect of frequent Communion.

Father Carroll has a résumé of the manifold activities of St Pius which is remarkable by its completeness. Bishop Mulloy and Bishop Schexnayder have excellent articles on St Pius's view of corporate worship, Father Diekmann writes on the Eucharistic Fast, Father Cummins on the need of knowledge of the Bible, Father Ahern on the prayer value of the Psalms. Sister Francille has much that is useful to say about corporate worship in the school, Father Leonard contributes an excellent paper on St Pius and the restoration of liturgical life, and Father Ehmann a timely one on evening Mass.

The Proceedings of the Grand Rapids Liturgical Week is full of good things. Each paper is well worth careful reading by all who are interested in promoting social worship in accordance with the teaching of St Pius X and his successors.

J. B. O'C.



*The Gift of God. A Study of Sanctifying Grace in the New Testament.*

By Rev. John Morson, O.C.R. Pp. 188. (Mercier Press, 1952. 12s. 6d.)

"THE dogma of Sanctifying Grace is central in Christian teaching. So central is it that without it the rest of revealed truth can hardly be understood. In this book Father Morson studies Sanctifying Grace as seen in the New Testament and brings a completely new light to bear on this most important subject." This is not the author's claim. It is only the publisher's blurb on the jacket, with its characteristic exaggeration, as if no study of Grace had ever related its findings to the New Testament before. In fact Father Morson prefaces his study with the Tridentine definition of Grace, and explicitly states that the only purpose of this treatise is to substantiate its terms from the New Testament. And yet this very method of studying the doctrine of our sanctification does inevitably reveal its richness, beauty and importance, for it is impossible to live over again the historical process of a doctrine's development without coming to a fuller realization of its meaning. There is nothing startlingly new, but there is inevitably a deepening of appreciation.

And so the New Testament is diligently combed for every reference to sanctification and its related ideas, and Father Morson studies in turn the earliest catechesis in the Synoptic Gospels, the Pauline Epistles to the Churches, the restatement of their teaching in St Paul's speeches in the Acts, the Epistles of SS Peter, James and Jude with their counterpart in the Acts, the Pastoral Epistles of St Paul, the Didache and St Clement's Epistle to the Corinthians (as representative of the years before the last writings of the New Testament), and finally the Fourth Gospel and the Epistles of St John. A helpful summary is given after each stage of this development, and a final short chapter returns to the Tridentine notion of Grace with which the book started, although now the rather abstract "supernatural quality inhering in the soul" has become "... the lost gift of life restored. Man recovers that life which God conferred upon the race at the beginning. . . . We are sons of the Father. . . . We are in Christ, have Christ living in us. . . . We receive the Spirit of God, have that Spirit poured into our souls. . . . This life is light, essentially consisting in knowing God. . . . The whole is an entirely free gift. . . . Man must know how for his part to receive the gift of God. . . . First we are to believe, submit our understandings, and in their train all our faculties and being, to the claims of Christ. Then we are to be baptized. . . . The life is to be preserved by eating Christ's flesh. . . . That the Father and Son may continue to love us we are to keep Christ's commandments. It is chiefly in the person

of our brother that He makes His demands upon us . . . that we may be made perfect in one with a oneness of which the supreme model, superabundant source and indwelling principle is the One God, Father, Son and Holy Spirit”.

The text is quoted in the Westminster Version, although constant reference is made also to the Greek. Galatians is taken to be the first of the Pauline Epistles. The teaching of Hebrews on justification is proposed as a strong confirmation of its traditional Pauline authorship. For St John the reconstructed order of the chapters suggested by F. R. Hoare is adopted. Inevitably St Paul and St John, with their constant preoccupation with grace, redemption, justification, sanctification, divine life and faith, receive the fullest treatment, and this to the extent that an almost complete exegesis of their writings is given.

A merely critical or merely apologetic approach to the Bible has been fashionable for too long. The need today, and especially in this country, is for a more positive exposition of its riches, for more biblical *theology*. If this book were nothing more than an amateur's attempt at providing one such theology, it would be welcome for the great need that it filled. Being the careful and masterly treatise that it is, and on a subject of such vital importance, it is doubly welcome. In view of this, it seems a pity that the publishers have apparently not been able to appreciate its worth. The occasional misprint and mispunctuation one could overlook, but not the frequency of misplaced founts, the constant smudging of one page on to another, the maddening variation from an overheavy print to one so light that it is barely legible, nor (on the plea of economy) the almost unrecognizable transliteration of the Greek words which are so vital to the argument. Please, Messrs Mercier Press, charge us a few shillings more, but give us a book better produced.

*Thinking About Genesis.* By Margaret T. Monro. Pp. xxvii + 221. (Longmans, 1953. 11s.)

It is difficult to assess a book which is a combination of so much that is genuinely good with so much that is frankly unsatisfactory.

Miss Munro has an undoubted genius for assimilating scholarship and learning, and even more for presenting it with a facility and attraction that might seem to belie its real soundness. Her *Enjoying the New Testament* was a masterpiece of such learning lightly worn, and has certainly given a taste for and an understanding of the New Testament to many whom the professional scholar has only been able to frighten away. It is encouraging to see that same genius being

applied to the Old Testament, neglected for so long even more than the New by all except specialists, whose technicalities and dissensions have been more effective than the Cherubim and flaming sword in guarding the way to this tree of life. The aim of *Thinking About Genesis* is to lead the non-specialist past these barriers, to keep him so interested on the way that he is past before he notices them, and to show him in what is beyond that there can be such a thing as enjoying the Old Testament too.

In many respects the book succeeds brilliantly. One has to read it to realize how attractively even the introductory questions of Text, Translations, Canonicity, Septuagint, and Inspiration can be presented. The historical and geographical background is superb. As for the actual contents of Genesis, it was a happy idea to turn them back to front, so that the easier ground of the Patriarchial stories (12-50) is gone over first to ensure that the reader is not totally unprepared for the more difficult country of the Prehistory (1-11). Both are treated surprisingly adequately for a book of such small compass. Room is even found for supporting chapters on the disedifying Morals of Genesis ("To borrow a useful French phrase, the Bible is not a book for young girls"), and on Evolution ("To us it does not matter, basically, whether evolution is proved or disproved"); and three times the book is interrupted with chapters on the all-important religious teaching of Genesis (how few of our books give this the place it deserves). Throughout there is simplicity, clarity, and above all freshness of approach. No reader could possibly be bored by the book.

With all this in the book's favour, it is a pity that one large section of it should endanger the usefulness of the rest. In by far the longest chapter in the book (as well as in another introductory chapter to warn the reader, and in constant references elsewhere) Miss Monro deals with Mosaic Authorship, and attempts to maintain that the form in which the Pentateuch has come down to us is more or less (apart from a few legislative additions) the form in which it left the hands of Moses, and that he himself was responsible for the final conflation of possibly variant traditions. Now this is to disregard entirely the critical scholarship of the last thirty years, Catholic as well as non-Catholic, which has come to the considered conclusion that at least the broad outlines of a "Document Theory" are inescapable, and that the final composition of the Pentateuch (especially of Deuteronomy) must be placed many hundreds, even a thousand, years after Moses. Nor is this just a compromise with Rationalism: even such a conservative body as the Biblical Commission has agreed that the traditional "Mosaic Authorship" involves

only that "Moses played a large part and exercised a profound influence as author and legislator" (16 January 1948).

It is true that the literary analysis of sources lays itself open to ridicule, especially when scholars disagree about details, and Miss Monro is not slow to seize the opportunity ("To be frank, that kind of thing is much easier to swallow when one does not know too much about it"); but to be even franker, that kind of jibe is much easier to make when one does not know too much about the difficulties with which the Pentateuch bristles, for the solution of which *some* sort of document theory is imperative: given the anachronisms, the peculiarities of style and language, and the different accounts of the same events, it is not only unlikely but impossible that the Pentateuch in its present form should be one homogeneous account written by someone contemporary with the events which it describes. It is also true that reasons for reserve may be found in the fact that recent scholars have tended to speak of "traditions" rather than "documents", and have begun to date them rather more conservatively than Wellhausen was willing to; but this is hardly the same as a "revolt" against the Document Theory, or as dismissing it as "quite thirty years out of date"; in fact the framework of JEDP remains undisputed, and every attempt to do away with it has only succeeded in reproducing something very much like it. It was particularly naughty of Miss Monro to use the names of Professors H. H. Rowley and C. R. North (is the spelling R. C. North to be taken as intentional?) in a way which might suggest to the uninitiated that they support her ultra-conservatism. Every page of the book quoted (*The Old Testament and Modern Scholarship*, Clarendon, 1951) makes it clear that both would bewail such an overthrow of the critical scholarship of the past. Even Professor Engnell of Uppsala, whose criticism of the Document Theory is so frequently emphasized, himself admits that his own disposition of the "oral sources" corresponds in very large measure to the old divisions, and that the final redaction of Genesis-4 Kings must be placed in the fifth century B.C.

It is no mere pedantry that has inspired this severe criticism of Miss Monro's approach to the question of Authorship, but simply a concern that Genesis should be understood in the way its author intended it to be understood. A homogeneous account of contemporary events may intend to narrate facts and only facts, but a collection of ancient traditions, with all their repetitions and inconsistencies, cannot possibly intend to do that. A misreading of the "key" in which Genesis was written will have us looking for historical accuracy where none was ever intended. What is worse, it will make us miss the one thing that the author was interested in, the religious

truth that he wished to express through the variety of traditions that he had at his disposal. If Miss Monro had concentrated on this in the spirit of the author, she could have produced the first really useful Catholic book on Genesis in English. *Thinking About Genesis* will need some drastic revision before it becomes that.

*The Thought of the Prophets.* By Rabbi Israel I. Mattuck. Pp. 176 (Allen & Unwin, 1953. 9s. 6d.)

THE new series of which this book forms part, *Ethical and Religious Classics of East and West*, is designed to "place the chief ethical and religious masterpieces of the world, both Christian and non-Christian, within easy reach of the intelligent reader" by means of translations, commentaries, art reproductions and background books which will show the environment in which this literature and art arose and developed. Dr Mattuck presents the Hebrew prophets, collectively, as Israel's contribution to the world's religious thought, in the conviction that their words have a universal bearing and permanent relevance to the human situation. After two introductory essays on the nature and authority of prophecy, he analyses their ideas on God, human morals, the spiritual life, the character of a just society, the relation between religion and politics, true religion, the problem of evil and of sin, and the ultimate meaning of history. The chapters are short, clear and to the point. Throughout constant concern is shown to interpret the prophets' utterances in the light of the circumstances which evoked them; the translation of their particular judgments into the general and permanent ideas which they imply is to be scrupulously distinguished from the prejudiced reading of our own ideas into their words, and from the method of "traditional theology which found in the Bible generally authority for later theological dogmas, and in the prophets' statements about near events prognostications of later events which received a theological import". In fact Dr Mattuck can find in the prophets no foretelling of the future apart from merely natural conjecture.

Perhaps it is here that the book fails. Not that the principle of interpretation is wrong: many of our own handbooks would do well to concentrate more on the historical and psychological context of the prophecies that they use for dogmatic texts. But "context" is not the only principle of exegesis. If it is granted that the prophets spoke under the influence of God (and however vague Dr Mattuck's notion of inspiration is, this at least he insists on), then there is no reason at all why they should not have anticipated things which God was going to reveal more fully later; in fact the unity of revelation demands such a relationship of the future with the present. Not that

the prophets necessarily shared this vision of the future; but at least their thought was necessarily in the same line and in the same direction as the future reality for which their words, under God's influence, were to prepare. And it is on this, surely, that the Christian thesis rests, rather than on individual texts. Christ was not just the fulfilment of a number of disconnected and chance predictions, but the one person in whom all the lines of thought of the prophets (as of the rest of the Old Testament) met in harmony and found their final expression. In this sense it is impossible to interpret the prophets without prejudice: God Himself had already prejudiced their thought.

Dr Mattuck makes no mention of Christ: for him the messianic ideal is still in the optimistic future. If allowance can be made for the cramping effect that this inevitably has on the prophets, the book remains a useful and careful analysis of their thought in other directions.

H. J. RICHARDS

*The Priest at Prayer.* By E. Escribano, C.M. Trans. from the Spanish by Bernard Buckley, C.M. Pp. 584. (Clonmore & Reynolds. 21s.)

IN recent years a number of books have appeared, encouraging the ideal of the priest getting down to his daily meditation by giving him practical formulae for thinking and praying about his sacerdotal state. This is just such a book, and fulfils its purpose admirably. To begin with, it is beautifully produced, as such a work should be if it is to continue as a constant companion every morning of the year. The paper is good, there are a couple of markers as in a breviary, and the whole is divided into sections or meditations, which are set out clearly, with a view to the easy selection of particular points for consideration. From what has been said of the production, it will be seen that, high as the price appears to be, there is reason for it.

The author was a Spanish priest who combined scholarship, especially in the study of Scripture and the Fathers, with intense zeal for souls, expressed in his work with the poor, to whom he preached constantly. But despite this, his main engagement was with priests, to whom he gave countless retreats. This particular book appeared well before the Civil War and was recommended to the clergy by various bishops. It was therefore an aid to deeper piety which helped the persecuted priests to maintain a higher standard of spirituality in face of the hardship and perhaps lack of spiritual understanding which shook the Church in Spain in those years.

There is no attempt to provide a daily meditation, but the

sections speak for themselves, covering as they do the Eternal Truths, the Priestly Ministry, Virtues and Vices, and a most useful section on Some Means of Perseverance. In these, the approach is fresh and concrete. There is no mere theoretical verbiage, but a practical application of the priest's state, work, temptations and ideals to the present moment, wherever that person may be working. Indeed there is an immense amount of benefit to be gained from having this book near one, for a few minutes' reading each day, or even now and then. It is a book to keep and use.

M. H.

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## CORRESPONDENCE

### THE OWNERSHIP OF PAROCHIAL BUILDINGS

(THE CLERGY REVIEW, 1954, XXXIX, pp. 624-7, 704)

Doctor McReavy writes:

I thank Mgr Redmond for his suggestion. I described as "diocesan" the trustees in whom, for civil purposes, the ownership of the cumulated parochial properties within a diocese is vested, simply because their appointment derives from the diocesan Ordinary and their function is commonly co-extensive with the diocese. I did not mean to imply that the primary responsibility of such trustees is to the diocese: it is, as Mgr Redmond rightly remarks, to the individual canonical owners (diocese, parish, etc.) whom they represent before the civil law. Indeed, I thought that I had made this clear when I wrote that "whatever actions are performed by the diocesan trustees in the civil forum, are done in the name of these individual moral persons". If, however, it is the use of the term "diocesan" that misleads some parish priests into thinking that the trustees have relieved them of all responsibility for parish deeds, I should readily accept Mgr Redmond's alternative description, "ecclesiastical trustees". Actually, I am not at all sure that the change of a name will change a habit of mind, but there would seem to be substance in his claim that such a habit of mind exists. Not so long ago, I heard of a parish priest who had no idea that a small plot of land belonged to his parish, until he was asked by the secretary of the trustees whether he consented to its sale. He had never seen the parish deeds and had inherited no authentic copies.



## LIMBO

(THE CLERGY REVIEW, 1954, XXXIX, pp. 703-4)

Father Leeming writes:

Dom Sebastian is perfectly correct in saying that opponents of Limbo have no need to support their case by holding that God could not create an intelligent being without a supernatural destiny. It has seemed to me, however, that some have done so, and it is against them that I have argued in recent letters.

Dom Sebastian and I are agreed that there is only one end for man, a supernatural one, nor have I either said or implied that unbaptized infants attain a natural end. The majority of theologians allow such infants happiness of a natural kind. But this is not to adopt the Pelagian doctrine of a "state intermediate between the kingdom of heaven and eternal damnation". Indeed the Jansenist synod of Pistoja was severely stigmatized by Pope Pius VI for thus confusing the popular belief of the faithful in Limbo with the heresy of Pelagius (cf. Denzinger 1526).

Dom Bruno Webb writes:

I think I should explain that never at any time have I held that "God would be incredibly foolish . . . to make an intelligent being and not give him grace". Generation of current by a power station as illustration of infusion of grace by God seems hard to improve on, and my use of the analogy is confined to this. Whenever I have spoken of the soul being made for or having an aptitude for grace as cable for current I have always meant *in the actually existing* providence of God, never that it could not have been otherwise. My reason for holding this was given in my article in *The Downside Review*, where I quoted St Thomas's principle (S.T. 3.1.3), by which to judge of what God has actually done in fact: "Such things as spring from God's will alone and are *wholly beyond the creature's due*, can only be made known to us through being revealed in sacred Scripture," and enumerated those passages which assert without qualification the universality of God's salvific will. As *Humani Generis* says, God is in no way bound by either His power or wisdom to ordain any intelligent being to the beatific vision. It is entirely a question of what He has planned to do in fact.

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